ON LOCAL SEGREGATION FRONT

Parks Closing, Threat Of Suit To Integrate Schools Top News

Closing of the parks in January and the threat in December to file suit forcing integration of public schools were highlights of racial news in Montgomery during 1959.

In between, the other 10 months of the year were relatively quiet compared to racial disturbances and controversies of the immediate years preceding 1959.

As a result of a suit filed by a group of Montgomery Negroes, Oak Park, beauty spot of Montgomery, and all other public parks in the city were closed by the City Commission on Jan. 1. Signs were placed at all entrances forbidding use of the parks to the public.

As the year ended, indications were the parks may never be reopened. The Negroes won a favorable decision, declaring that the city's parks can never be operated on a segregated basis, in U.S. District Court. City officials appealed the decision but privately, they hold little hope that Judge Frank M. Johnson's ruling will be voided.

As a further indication of this pessimism, the city sold all of the zoo animals in Oak Park in a series of sales in December.

Negro integrationists petitioned the Montgomery City - County School Board in August to come up with a plan for the integration of schools but they received no answer.

The Rev. Martin Luther King Jr., Negro minister who announced he will move to Atlanta in January, 1960, to further his integration activities, said in a farewell address in December that a suit against the school board definitely will be filed in federal court.

The announcement put a damper on budding hopes of whites that King's leaving might lead to a lessening of racial agitation in Montgomery.

In other racial news, hearings of the Civil Rights Commission in Montgomery ran over from December, 1958, into January, 1959 in connection with alleged denial of voting rights to Negroes in several Alabama counties.

And for the first time in the memory of local residents, Negroes were not invited to take part in an inaugural parade for a governor. Avowed segregationist John Patterson, who took office in January, failed to invite Negro units to participate and as a result, most Negroes boycotted the parade.

An alleged member of the Ku Klux Klan was killed by a restaurant owner after the Klan protested the employment of Negro waiters at the establishments.

Trial of the defendant, James Peek, who claims self defense, was still pending as the year ended.

A local theater canceled showing of a movie depicting a biracial scene following protests by the Montgomery White Citizens Council.

Equal Facilities Plea Dismissed

WASHINGTON (AP) — The Civil Aeronautics Board has declined to order Delta or Eastern Air Lines, or the city of Montgomery, Ala., to provide equal facilities for Negroes at Montgomery's municipal airport, Dannelly field.

James Anton, director of the CAB's bureau of enforcement, ruled that the CAB lacks jurisdiction over the city and its officials, and over certain terminal facilities provided by the airlines.

Anton notified individuals who had filed protests, on behalf of Negroes using Dannelly field that he was dismissing their complaint.

His notice went to John Lee Tilley, Baltimore, Md., and the following Montgomery residents: H. J. Palmer, S. S. Seay Sr. and Ralph D. Abernathy.

Fire haunts segregationist; store burns near Tuskegee

MONTGOMERY, Ala. — (ANP) — State Highway Director Sam Englehardt, one of the leaders in the rezoning of Macon County and the resulting exclusion of colored residents from that voting district, suffered a financial setback recently when fire gutted his store in nearby Shorter for the second time in eight years.

The latest fire cost Engelhardt, a member of the White Citizens Council, between $15,000 and $20,000. He said his activities in the Council might have something to do with the incident. Investigators, meanwhile, were checking the possibility of arson.

The store, located between Montgomery and Tuskegee, was first gutted in 1952. Located in a service station, the store was stocked with merchandise.

Englehardt, some months ago, helped push a drive in the State Senate that led to the rezoning of the county, in which the Tuskegee college town is located. As a result, hundreds of colored people were pushed out of the city limits and rendered ineligible to vote in the town's elections.

City's dismissal plea denied in race suits

Motions by the City of Birmingham to dismiss two segregation cases were thrown out in Federal Court here today.

U. S. District Judge Hobart H. Grooms over-ruled both motions by the city to dismiss the bus seating case and park integration suit.

Judge Grooms denied dismissal of the park case for two of the defendents. He withheld a ruling as to its application to the third defendant, the City of Birmingham.

GROOMS EXPLAINED that he was withholding judgement as to the city's part in the case to determine if the city as such is a proper party. He will determine later if the petition for dismissal shall be granted the city.

The park suit was filed here in October, seeking to integrate Birmingham's parks and recreation facilities.

IN THE BUS CASE, Grooms ruled last November that the case against the city should be continued for a "reasonable time." At the same time he dismissed the suit against the transit company.

The bus seating case was brought by 13 Negroes who were arrested by city police for sitting in the front of a bus.

GROOMS RULED that this one isolated incident did not constitute a discriminatory policy on the part of the transit company.

He held, however, that the Negroes Civil Rights had been violated when they were arrested.

The case is still pending against the city.

Two Motions In Bus, Park Suits Denied

BIRMINGHAM (AP)—The city of Birmingham Wednesday lost in two efforts to get itself removed from segregation suits.

U.S. District Judge Hobart H. Grooms turned down motions by the city to dismiss suits seeking integration of city buses and city parks.

In the part integration suit, Grooms said he was withholding judgment in the city's part of the case to determine whether the city is a proper party. He didn't indicate when he would rule on the question.

In the bus seating suit, Grooms re-affirmed his decision of last November that the city should remain a party to the suit for "a reasonable time" to determine whether Negroes are being deprived of constitutional rights.

The parks suit was brought by Negroes against the city and several city agencies. At present, Birmingham has segregated parks for Negroes and white persons.

The bus seating suit challenges a Birmingham Transit Co. rule directing Negroes to seat from the rear and white persons from the front. Grooms ruled earlier that the bus company—as a private firm—was within its rights. But he said city police enforcement of the rule would amount to a violation of constitutional rights.

Quits In Row Over Fairy Tale

MONTGOMERY, Ala. — (UPI) — A children's story about "soft, furry love" between a white rabbit and a black rabbit apparently has forced the resignation of the state's director of public libraries in race-conscious Alabama.

Miss Emily Reed, who was caustically criticized because the book, "The Rabbits' Wedding," was allowed on general circulation shelves, has resigned effective April 21. However, she vacates her position March 1 to become a library consultant in Washington, D. C.

Garth Williams, who wrote the book for Harpers Brothers, said the tale was "written for children from two to five who will understand it perfectly. It was not written for adults who will not understand it is only about a soft furry love."

The author and illustrator said he "was completely unaware that animals with white fur were considered blood relations of white human beings," he said.

Negro Ambulance Sent By Mistake

MONTGOMERY, May 13 (AP)—A white convict who fell from a bridge lay injured on the ground for some 30 minutes today because a Negro ambulance was sent to the scene by mistake.

The victim, Mark Allen Floyd, 34, was finally picked up by a white ambulance crew and taken to Kilby Prison Hospital. He escaped serious injury in the 40-foot fall.

Kilby officials said they were first notified a Negro convict had been hurt, so they called for a Negro ambulance. When police arrived, they sent for a white ambulance.

Floyd fell from the Tyler Goodwyn bridge on Alabama 169 just north of Montgomery. The span was damaged last Friday and convict crews were making repairs.

Floyd is serving 20 years for mayhem from Jefferson County.



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THE CLIMAX of the mammoth mass meeting of the MIA at First Baptist Church, Montgomery, Ala., bidding Dr. Martin Luther King Jr. farewell, came when King passed over the gavel of authority to the Rev. Ralph D. Abernathy, left. The outgoing president called for full support for the new leader.

Beer License Revoked At Cafe Where Negroes, Whites Dined

The Montgomery Advertiser
Montgomery Ala.
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Beer

A Negro cafe here where a group of whites and Negroes lunched together last week has had its license to sell beer revoked by the Alabama Alcoholic Beverage Control Board.

ABC Administrator Ed Azar said Friday the beer license issued to the Regal Cafe had been canceled.

Azar said the action was taken because the cafe sold beer to minors, sold beer after hours and was operated "in such a manner that would tend to cause a breach of the peace."

The cafe was closed by city officials as a fire hazard after the integrated luncheon. They ordered it closed until safety specifications required of commercial establishments are met.

It was at the Regal where a group of white sociology students from MacMurray College in Jacksonville, Ill., accompanied by their professor and his wife and a white ministerial student from Boston University, were arrested while having a meal with seven Montgomery Negroes.

Three Alabama State College students and two others who had been expelled from the college because of their part in recent anti-segregation demonstrations were in the group arrested.

The white students w4re visiting in Montgomery to study "nonviolent social change" as employed in the mass Negro bus boycott.

All 20 defendants were convicted of disorderly conduct in city court and fined. They appealed to higher courts.

Azar also revealed that ABC Board action had been taken against several other local licensees.

The beer license held by the High Hat, 3912 Mobile Highway, was revoked on charges of selling beer to minors; given an indefinite suspension was the beer license held by the Court Street Delicatessen, 30 Court St., for selling beer to minors and selling beer to persons visibly intoxicated; Pat's Place, Rt. 6, Montgomery, indefinite suspension of its liquor license for the possession of non-taxed liquor; Riverside Inn, Rt. 5, Montgomery, beer license indefinitely suspended for possession of non-taxed liquor.

A FORMING RACE-RIOT POSSES

The New York Times
Sun. 4-10-60

Mounted Deputies Included in Volunteer Law Forces Set Up in 4 Counties

Special to The New York Times.

MONTGOMERY, Ala., April 9 —Special sheriff's posses have been organized in at least four Alabama counties as a result of recent racial disturbances.

Special mounted deputies were used for the first time in recent history here to help avert a riot of whites and Negroes on March 6.

Following the pattern of the Montgomery County special sheriff's mounted posse, two adjoining counties, Augusta and Dallas, along with near-by Shelby, have formed a volunteer corps of law-enforcement officers. The corps include mounted deputies.

About a week after the March 6 disturbance in Montgomery, the sheriff of Dallas County called for volunteers for a posse. The response was almost overwhelming. The county now has more than 500 men on its special deputy commission. Fifty-two are horsemen.

2d County Follows Suit

The following week, Augusta joined the special-deputy program, getting about 100 men for the emergency duty.

The three counties have coordinated their organization of the special groups and have agreed to assist each other when necessary. Dallas horsemen and dismounted deputies assisted in patrol duty after the critical March 6 incident. They were used mostly as precautionary police reserves when Negro students demonstrated at Alabama State College here.

At least one other county in southern Alabama is organizing such a posse.

The stated purpose of the special deupty forces is "to maintain law and order [and the] suppression of riots and unlawful assemblies," in the words of Sheriff Jim Clark of Dallas County. His posse was formed after reports that two Negroes identified with sitdown strikes and other anti-segregation moves in the South had visited the county.

One of the key deterrents to would-be rioters in the Montgomery incident was the mounted force, a sight not seen in this city since the beginning of the motorcycle policeman and police ca...

The posse also was organized because of the necessity of naintaining control of special leputy groups.

This necessity was demonstrated on March 9 when an informal group of special deputies roughly handled three newsmen near the Negro college here.

Sheriff George Grant of Autauga County told the volunteers for deputy duty that "we don't want our laws violated. We don't intend to be run over but we've got to go about it the right way. You must not go out as a mob but as a group to keep down violence."

Sheriff Grant has said that unlawful conduct by even one participant in the volunteer group could injure the entire program. He promised that every applicant "would be carefully screened."

Riders, who with other special deputies are sworn in as officers and are given badges, must provide their own mounts. All special deputies must provide their own arms.

LEVITT APPEALS RULING

The New York Times
Sun.

Asks Jersey High Court to Review Decision on Negroes

Special to The New York Times.

TRENTON, N. J., March 28 —Levitt & Sons, Inc., asked the State Supreme Court today to reconsider its recent decision requiring the company to sell homes to Negroes as well as white persons.

The court ruled last month that a state law barring discrimination in the sale of homes financed in any way by public funds applied to Levittown, N. J. The court action followed the refusal of the Levitt concern to permit Negroes to buy homes in the Burlington County development.

It was uncertain tonight whether the latest move by the builder would affect an April 15 deadline set by the court for compliance with its decision.

Engelhardt Challenged On Holding Two Jobs

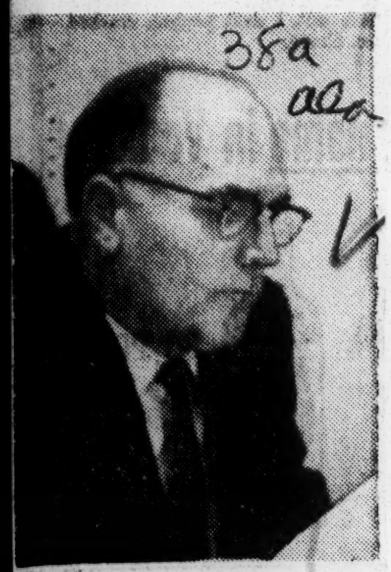
Montgomery Newspaper Cites Hatch Act And Court Decision In Raising Question

MONTGOMERY, April 19 (AP)—Sam Engelhardt's right to serve both as state highway director and chairman of the state Democratic Executive Committee was questioned today by the Alabama Journal.

There was no immediate comment from Engelhardt, but he indicated he may have something to say later.

The Journal, in a story written by City Editor Ray Jenkins, cited a provision of the Federal Hatch Act and a Federal Court decision which, the paper said, might make it illegal for Englehardt to hold both jobs.

It referred to one section of the



ONE JOB TOO MANY? Sam Engelhardt.

Federal law which prohibits officers and employes of state or local agencies from taking active part in "political management or in political campaigns" if the agencies receive Federal funds.

"As highway director, Engelhardt oversees the spending of millions of dollars of Federal funds each year," The Journal said. "And as Democratic chairman, he is actively managing the affairs of the political party."

The Journal cited an Oklahoma case in which a member of the state Highway Commission was ordered removed from his job under similar circumstances.

France Paris, who also was chairman of the state Democratic Central Committe, was ordered dismissed by the Civil Service Commission after he took part in a war bond and party fund-raising dinner in 1943.

When the state refused to comply, the Federal government ordered highway funds withheld, and Oklahoma authorities went into court. The Federal courts upheld the Civil Service Commission's action and the Supreme Court agreed.

C OF C OFFER EXTENDED TIMES

BIRMINGHAM (AP) — The Birmingham Chamber of Commerce Thursday offered to pay expenses for a New York Times reporter to come to the city and check an account of race relations.

Chamber directors passed a resolution asking the Times to publish a story "of the highest journalistic standards" about Birmingham.

The resolution was prompted by two Times stories which were critical of the racial situation in Birmingham.

The Chamber recommended that Birmingham writers prepare an article for the Times setting out facts in reference to race relations.

The directors also invited the Times to send a member of its staff or any one else of its choosing to the city to check the accuracy of the story.

Mixing Reported At Montgomery

MONTGOMERY, April 26 (AP)—Two Negroes took seats in the white waiting room at the city-owned airport today, but whether it was a deliberate integration attempt was never determined.

The Negroes left when police arrived. They walked outside and boarded an airliner, but police said their destination was unknown. No arrests were made.

Airport Director Josh Couch said the Negroes may have entered the white waiting room at segregated Dannelly Field by mistake. He said that has happened at times in the past.

Asst. Police Chief J. B. Rucker said police were called to the airport this morning on a report that Negroes attempted to use the white restroom. But it was the waiting room instead.

Sociologist Disappointed By Verdicts

"I am extremely disappointed," Prof. Richard D. Nesmith said Friday in commenting on the guilty verdicts handed down against himself and 19 other persons who attended an inter-racial luncheon at a Negro cafe.

"We understand the fears that are here and we only hope that some good can come of this," the blond, stocky professor from MacMurray College in Jacksonville, Ill., said.

Nesmith, 31, said he is a dean and sociology teacher at the college, located near Springfield Ill. The college, he said, is the "official Methodist college of the Illinois Methodist Conference."

SOUTHERN TOUR

It has an enrollment of about 850, he said, of which "22 or 24 are Negroes."

Montgomery was the fifth major city Prof. and Mrs. Nesmith and his 10 white students visited during a tour of the South to study "issues and problems." He said Montgomery was included because it was the scene of the "bus boycott" during the winter of 1956-57.

The group wanted to study the "non-violence" movement among Negroes, he stated.

The tour is a regular college-approved field trip and is part of the curriculum, the professor stated.

"It is broader than just race problems," he said. "We wanted to visit a cattle farm near here in our study of changes in agriculture."

JACKSON LUNCHEON

Before arriving in Montgomery, the college group visited Little Rock, Jackson, Miss., New Orleans and Vicksburg.

Asked by City Solicitor Dave Crosland if they had attended a previous inter-racial luncheon in the South, Nesmith said that they had in Jackson.

He said the group contacted Hodding Carter, noted Mississippi newspaper editor, in Jackson.

Race Disturbance Brings 4 Arrests

MOBILE, April 26 (AP) — Four white teen-agers have been charged with creating a disturbance in a Negro section of Theodore.

Deputy Sheriff Willie Z. Barnes said the four were arrested last night after they drove through the Negro section "cursing, throwing rocks and threatening Negroes with guns."

The white youths were held overnight in county jail. Their bonds were set at $300 each today. Hearings are scheduled in County General Sessions Court May 6 on charges of breaching the peace.

Barnes said a high-powered pellet gun, an air rifle, baseball bat and pocket knife were taken from the youths.

They were identified as Leroy Dickson Jr., 17; Donald E. Whitehurst, 17; Jerry Lane Trawick, 16; and Keith Rodney Barlar, 16.

Sheriff Ray D. Bridges said Dickson, Whitehurst and Trawick were charged additionally with malicious destruction of property. Their bond was set at $300 each on that charge.

Bridges said the latter charge resulted from the breaking of windows in a Negro school at Theodore several weeks ago.

Negroes Arrested, Fined After Trying to Enter Cycle Race

MONTGOMERY, Ala. (ANP) The aspirations of two young Negroes to compete against white riders in a race at the Chisholm Speedway here evaporated quickly last week when both were arrested and fined after one of them tried to enter his motorcycle in the race.

Thomas Dow, the would-be rider, was fined $100 and costs for having a loaded pistol by police who said they had heard a rumor that one of the two Negroes had a loaded pistol. They feared trouble was brewing, Lt. George Owens, one of the arresting officers, said.

Dow's companion, Howard Jackson, who was to be his "pit man" in the race, was fined $10 and costs for disorderly conduct.

Dow and Jackson were barred from the race because of mechanical restrictions. However the two apparently felt they were barred because of their race. They didn't like it a bit.

W. H. Stone an official at the track, said the two resented the ruling and stalked away cursing.

The pistol was found in the glove compartment of Dow's car, but both he and Jackson denied any knowledge of it.

Strangely enough, three other Negroes were in the car, but only the would-be racers were arrested.



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"NOT MAD AT ANYBODY..." — F.L. Shuttlesworth, president, Alabama Christian Movement for Human Rights, told an overflow congregation at Vermont Avenue Baptist Church, Sunday. "I've been blown out of bed at night, but I'm not mad at anybody." He preached three times at the Bible Way Church. His home has twice been bombed by segregationists in Birmingham. At left, the rights fighter makes a point to the congregation, and at right, he turns to emphasize a point to the unseen choir.

'I've been blown out of bed, but I'm not mad,' Alabama pastor says

The Afro-American
Baltimore, Md.

WASHINGTON "I have been blown out of bed at night, but I'm not mad at anybody," exclaimed the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights and fighter for equal rights, as he addressed a packed congregation at the Vermont Avenue Baptist Church, Sunday.

The Rev. Mr. Shuttlesworth did not speak long on the troubled integration fight in his city of Birmingham, but concentrated on his Sunday sermon.

THE REV. C.T. MURRAY, pastor of the church, introduced the Rev. Mr. Shuttlesworth as "the man who has been leading the integration fight in Birmingham, and has suffered much for his efforts."

He cited the recent bombing of the Suttlesworth home, beatings and jail sentences that have been levied against the fighter.

He also spoke of a $3 million suit the state of Alabama is considering filing against the New York Times Newspaper and the Rev. Mr. Shuttlesworth for an article condemning segregation in Alabama which appeared in the paper recently. The Rev. Mr. Murray said the Rev. Mr. Shuttlesworth "still wears scars on his body from beatings received while trying to break barriers in Alabama."

Of particular interest to Washingtonians was the trouble Rev. Murray said he had in trying to get "certain hotels" here to honor reservations he had made for the Rev. Mr. Shuttlesworth before his arrival here from engagements in New York. The Rev. Mr. Murray said two hotels disregarded reservations and the minister ended up staying overnight at his home.

The Rev. Mr. Murray later refused to identify the hotels to newspapermen, declaring he "chose to forget it."

* * *

THE REV. MR. SHUTTLESWORTH, who is the pastor of Bethel Baptist in Birmingham, asked the congregation to sing and pray with him "for spiritual togetherness." Everyone joined in singing "While I'm Working, Lord, in Your Vine Yard."

His talk centered on a theme of "consecration." He stated, "Many people use God as a fetish," but "every day we ought to get a little closer to God," and "our religion ought to take on new vitality."

At times, the Rev. Mr. Shuttlesworth and one of those who stepped forward to put his money in the basket was Hal Witt, young lawyer who last Friday was in Municipal Court on disorderly conduct charges growing out of his joining NAACP picketters in front of Woolworth's Five and Ten on 14th St.

City dropped as defendant in park suit

The Birmingham News

U. S. District Judge Hobart H. Grooms has dismissed the City of Birmingham as a defendant in the park integration suit.

Judge Grooms, in his ruling yesterday, said the city commissioners and Parks and Recreation Board Director King Sparks would remain as defendents.

GROOMS RULED that the city is operating in a sovereign capacity, rather than a proprietory one. It can't be held to be a person within the meaning of the Civil Rights Act, he held.

Grooms overruled a motion by the city Wednesday to dismiss the suit. At that time, he withheld judgment on the suit's application to the City of Birmingham until yesterday.

The park suit was filed last October by 16 Birmingham Negroes. They are seeking racial integration of the city's parks, playgrounds and recreational facilities.

State librarian quits position

The Birmingham News

MONTGOMERY, Ala., aJn. 9—(AP)—Miss Emily W. Reed, sometimes controversial director of the Alabama Public Library Service, submitted her resignation Saturday to accept a library consultant's position.

Mrs. Bernice Youngblood of Jasper, chairman of the State Library Board, said board members accepted the resignation, effective April 21, with regrets and thanked Miss Reed for her leadership of the library program.

At the same time, the board announced the appointment of Mrs. Elizabeth Parks Beamguard, former librarian at the Huntsville Public Library and now a member of the state staff, as her successor.

Mrs. Beamguard, a native of Fayetteville, Tenn., is a graduate of the Emory University Library School in Atlanta.

She came with the State Library Service in October, 1954.

Win Case But Parks Are Closed

The Call, Kansas City, Mo.

MONTGOMERY, Ala. — (ANP) — **The U. S. Fifth Court of Appeals in New Orleans upheld a lower federal court decision forbidding segregated parks in this city last week, but city officials claim it is an empty victory.**

Though the federal government has upheld the right of eight Negroes to use the city parks, Montgomery, closed its 11 white and five Negro parks in January last year.

Parks Lost To Both Races

While this maneuver makes impossible to integrate the parks, and denies the Negro plaintiffs an opportunity to exercise the rights they have won through the courts, it is also true that Montgomery's still larger white population is denied use of its parks.

City Atty. Walter J. Kanabe said the city commission must decide whether Friday's ruling will be appealed further.

The court of appeals observed that Montgomery parks have been closed for more than a year "and there is no indication as to when, if ever, they will be reopened."

The district court's original decision outlawing segregation in city parks was modified slightly to give the lower court jurisdiction of the matter "for such reasonably long period as may appear to it advisable."

And the lower court was also empowered to remove an injunction against segregated parks "in the event it should appear that the defendants (the city) may be able to plan and act more effectively so as to reopen and operate the parks within the framework of the Constitution."

Segregation Law Repealed

The city no longer has any ordinance requiring segregation in parks or other public places. It was repealed about a month ago.

U. S. Dist. Judge Frank M. Johnson Jr. said his court has no authority to order the city to operate parks, but said if they are reopened they must be integrated.

Mayor Earl D. James declined to comment on the possible future of the park properties, but an impasse has been reached which observers feel will lead to the eventual sale of the tracts.

The decision Friday cannot be appealed to the U. S. Supreme Court. However the city could seek a writ of certiorari to have the appeals court review its own decision.

WHITE STUDENTS LEAVE
20 Post Appeal Bonds In Disorderly Conduct

The Montgomery Advertiser, Montgomery, Ala., Jan. 4-2-60

By DICK HINES

Twenty persons, including an Illinois sociology professor and 10 of his students, were found guilty of disorderly conduct Friday after Recorder's Court Judge D. Eugene Loe ruled that their conduct in attending an interracial luncheon was "calculated to create a breach of the peace."

Seven of the defendants were fined $100 and costs and 13 were fined $50 and costs. All appealed the guilty verdict and posted cash bonds which were set at twice the amount of the fines.

The Illinois student group was reported to have left Montgomery Friday night. According to their attorney, Clifford J. Durr, they were en route back to school.

The hearings for the 20 defendants, who were arrested Thursday at the Regal Cafe, a Negro eating place at the corner of Grove and Jackson streets, continued through most of the morning and into the early afternoon.

After Judge Loe found them guilty, he adjourned court for two hours before reconvening to pronounce punishment.

In addition to Nesmith, those fined $100 and costs were the Rev. Robert Earl DuBose and the Rev. Solomon S. Seay Sr., local Negro ministers; the Rev. Elroy Embry and Marzette Watts, who were expelled from Alabama State College a month ago for participating in anti-segregation demonstrations; James Richburg, a student at ASC; and the Rev. R. Edwin King, 23, assistant pastor of Grace Methodist Church in Cambridge, Mass.

VAGRANCY CHARGES

Embry and Watts were also arraigned on vagrancy charges, with police saying neither had any visible means of support since they were expelled from college.

Embry's case was set over until April 8. He testified he serves as minister of two churches in Green County for which he receives a minimum of $1,200 a year.

The Rev. A. S. Bannister, district superintendent of the Montgomery District of the Methodist Church (Negro), said Embry is an "approved supply" minister rather than an ordained minister.

SUFFICIENT FUNDS

Watts was found guilty of the vagrancy count but Judge Loe said he would continue the case until April 8 to give him a chance to get work.

Watts' mother said he had not been working since he was expelled but she expalined that "we have sufficient funds to support him."

All of the white students were fined $50 and costs. They were Theil Baumann, 20, of Arlington, Va.; Charles Bradburn, 20, of Pittsville, Ill.; Judith Emorling, 22, of Aurora, Ill.; Davis C. Gibson, 19, of Moline, Ill.; Bill Hatlestad, 20, of Detroit Lakes, Minn.; Jacqueline Desvaux, 21, of Jacksonville, Ill.; Jeanne Bergsten, 21, of Tonkawa, Okla.; Sharon Watson, 22, of Pana, Ill.; Thomas W. Ramsbey, 22, of South Bend, Ind., and Jeanne Walker, 21, of Dixon, Ill.

Also fined $50 and costs was Mrs. Richard Nesmith, 27, wife of the professor; and Anne Ruth Young, 27, 1624 St. John St., and Bessie Cole, 21, Alabama State College. The Young woman is also listed as a student at ASC.

The group of seven Negroes and 13 whites were arrested under a newly revised disorderly conduct statute which defines the offense, among other things, as acts calculated to create a breach of the peace.

City Solicitor Dave Crosland sought to show that by holding an inter-racial dinner in the Negro cafe, large crowds were attracted to the scene and tension was mounting before the group was placed under arrest.

Chief of Police G. J. Ruppenthal, Det. R. C. Cox and Police Sgt. Henry Alford told of how the crowd outside the cafe grew from about 10 persons to more than 100 while the defendants were at lunch.

"Was the situation getting tense outside," Crosland asked Cox at one point.

"Very much so," the veteran detective replied.

Ruppenthal said that the crowd also tied up traffic. When he arrived at the scene, he said, "I had to park up on Jackson — I couldn't get through because of the cars and I had to walk about a half a block."

Pictures of whites and Negroes seated together at a table were shown on a movie screen set up in the courtroom.

The Nesmith couple and the students of the Illinois college were represented by Atty. Clifford J. Durr, who contended that the behavior of the group was "inconsistent" with the charge of disorderly conduct.

No evidence was presented to indicate cursing or boisterous conduct, he said, and he pointed out that the city now has no laws forbidding Negroes and whites to eat together.

King and the Negroes were represented by three Negro attorneys, Fred Gray, Solomon S. Seay Jr., and Charles Langford. Nesmith was the sole defense witness.

Purpose of the group's tour of the South, he said, was to "give students a chance to make personal contact with issues and problems connected with sociology."

Montgomery was put on the agenda, he said, because of the "non-violence" practices of Negroes during the bus boycott.

His group went to lunch at the Regal Cafe with Negroes whom the met at the pro-integration Montgomery Improvement Assn. office.

The group has a policy of "listening, not debating," he said.

During the hearings, Judge Loe twice warned women students about their courtroom demeanor. At one time, he told them if they continued to "smirk" he would hold them in contempt of court.

On another occasion, he admonished them for talking to a reporter as they stood before the judge's bench while the hearings were in progress.

Jail Three Negroes For Visiting Alabama Whites

MONTGOMERY, Ala. — (UPI) — Three Negroes and two white men were jailed Tuesday night on charges of disorderly conduct after neighbors in two white residential areas reported visits by Negroes to white homes.

The white men, Maj. Rodney L. Cron, 37, and Vincent E. Wilson, 31, were arrested on warrants signed by their neighbors. Also jailed were three Negro men, Robert B. Hayes, 26, of Greensboro, N. C., Robert E. Cobbs, 39, of San Antinio, Tex., and Tommie Estell, 26, of Montgomery.

One of the complainants said Hayes and Cobbs drove up to the Cron residence in an all-white neighborhood, unpacked four suitcases from their car, and went inside.

A neighbor who visited the Cron home said the Negroes were inside the house carrying on a casual conservation with Cron and his wife. Cron, Hayes and Cobbs were arrested after warrants were issued.

Detective E. Y. Lacy and C. W. Jones said that about the same time in another white section, Wilson's neighbors complained that Estell got out of a car and began conversing with Wilson and his wife. A warrant was issued and Wilson and Estell were promptly arrested.

Wilson told police he did not know he was violating a law. A native of St. Louis, Mo. he said he lived in Chicago until he moved to Montgomery several months ago to work as an engineer.

He said Estell was his wife's supervisor at the Maxwell Air Force base hospital.



CAN HE GET JUSTICE IN ALABAMA? — Such is the question being raised by supporters of the Rev. Martin Luther King, who is scheduled to go on trial this week in Montgomery on charge of state tax violations. He is shown here being arrested on a "loitering" charge in September, 1958.

Call trial an attempt to stop him

(Special To AFRO)

MONTGOMERY, Ala. — "I think that this is just another technique on the part of the political power in Montgomery to silence the new courageous and dynamic leadership."

The Rev. Ralph D. Abernathy summed up local opinion in the fourth-coming (Wednesday) trial of Dr. Martin Luther King who is charged with falsifying his Alabama income tax return.

Interpreting the attitude of Dr. King's followers toward the charges, Dr. Abernathy told the AFRO:

"Colored people have grown to the point that we will not permit such unscrupulous tactics as this to separate the people from the leadership.

"We know of the honesty and integrity of Martin Luther King and we will refuse to let these charges, or any other false accusation, lessen our respect for him and our determination to follow his leadership."

* * *

BASIS OF the trial is the state's claim that Dr. King falsified his returns for 1956 and 1957. The state claims that he reported income of $9,150 in 1956 while his income was actually $16,162.

The state further claims that he reported $23,348 in 1957 while the actual figure was $45,421.

When the discrepancy in figures was brought to his attention, Dr. King paid the difference. The state, however, is still using the issue to prosecute him for perjury.

Fred Gray of Montgomery leads the corps of attorneys defending the well-known leader of the successful Montgomery bus boycott. Mr. Gray is assisted by Arthur D. Shores of Birmingham, William R. Ming of Chicago and former judge Hubert Delany of New York.

Mr. Gray took the initiative with a barrage of legal fireworks which may be the basis for appeals of an adverse decision. He has already been successful in getting one judge to disqualify himself.

* * *

JAMES CARTER, an attorney, will preside as special judge over the case. He was named after Judge Eugene Carter (no relation) disqualified himself.

He did so because Mr. Gray attacked the jury commission selecting jurors. Mr. Gray said that too few colore citizens are called for jury du ty.

Judge Carter, because he was a member of the commission, bowed out of the case. Mr. Gray then moved for a change of venue, charging that Dr. King could not get a fair trial in Montgomery County. Special Judge Carter denied this motion.

* * *

MR. GRAY called several witnesses — including city and state officials — to prove that white people in Montgomery disliked Dr. King because of his fight against segregation.

Among those he called were: Circuit Solicitor William D. Thetford, who is state prosecutor in the battle against the famed leader; Deputy Solicitor Robert Stewart, who conceded that Dr. King "wouldn't win a popularity contest" in Montgomery;

Also: Sheriff M. S. Butler who led a mounted, armed force against demonstrating students of Alabama State College;

Also: Grover C. Hall Jr., newspaper editor who said Dr. King "considers the present social order of the South as evil, wicked" and that the community was opposed to his views;

Also: C. M. Stanley, another editor who called Dr. King "the head guy making the whole trouble" and said "Look at the way he travels, he's a big shot;"

Also: Police and Fire Commissioner L. B. Sullivan who said his officers acted to prevent any hostile actions by members of either race — he referred specifically to Easter Sunday when his officers turned back a group of colored persons, mostly students, seeking to march to the state capitol for a prayer session;

Also called were the bureau chiefs of two syndicates. All of those testifying agreed that Dr. King could get a fair trial in Montgomery, despite the dislike of local white persons.

* * *

MR. GRAY also contended that the court clerk had not authority to appoint Carter as special judge. He said that colored citizens were systematically excluded from voting in the election in which the court clerk was seated.

Mr. Gray said also that Special Judge (James) Carter should be disqualified on the same basis that Judge (Eugene) Carter was removed.

* * *

THE MOST explosive motion of the several offered by Mr. Gray is the one asking that the courtroom be desegregated for the trial. "Southern custom" has decreed segregation in the hall of justice for many years.

Mr. Gray contends that Dr. King, an anti-segregation fighter, cannot get a fair trial in a segregated courtroom.

This is the only motion that Special Judge Carter has not denied. He said he would rule on it Wednesday — the day of the trial.

At the arraignment during which the motions were made, the majority of the audience was colored. The sheriff's mounted patrol ringed the courthouse, to keep down violence, he said.

* * *

LOCAL COLORED residents planned a Monday night mass meeting to show their support of the embattled leader of the passive resistance movement.

Appearing before the group briefly, however, will be Dr. Abernathy said:

The meeting, scheduled for the trial. For those who can not, we are asking that they pray for him."

Hutchinson Street Baptist Church, is expected to draw more than a thousand persons. Speaker will be the Rev. Mr. Abernathy.

Asked if Dr. King had a chance of winning a case in Montgomery, the Rev. Mr. King, himself.

* * *

"WE ARE presented, I am confident that "This case will certainly be won — if not before the jury charges where the people of the people of America.

"Once the facts have been

38a 1960 ALABAMA

White Teens Served, So Negro Bar Locked

Operator, Owner Are Charged

By MAYLON NICHOLSON
Journal Staff Writer

A Negro tavern that police said was operated without a license and often was frequented by white teen-agers was closed last night and its operator arrested.

Patrolman Bill Alonzo, head of the city's juvenile division, padlocked the place, located at High and Alexandria streets, and arrested Catherine Brown, the operator, on charges of selling alcoholic beverages to minors after a raid last night.

Alonzo said Dewey Farmer, a white man who owned the place and operates a grocery store adjacent to it, will be booked for violation of city license laws.

The officer confiscated a cooler of beer and several bottles of whisky after closing it to business last night.

He said white teen-agers frequented the place on occasions and purchased beer and whisky.

It was raided, he said, after an unidentified teen-ager was arrested with several cans of beer in his car last week. He told officers the beer was purchased at the tavern in the back of Farmer's store.

Several booths, beer coolers, and a cash register constituted the tavern, Alonzo said. He indicated no food was served.

The tavern was not named, Alonzo said.

Appeal seen for ruling in 'Bama airport case

WASHINGTON

A complaint concerning segregation at Dannelly Field, Montgomery, Ala., municipal airport, was dismissed by the Civil Aeronautics Board Wednesday because CAB lacks jurisdiction.

The ruling will be appealed; it is unjust.

John L. Tilley of Baltimore and three Montgomery residents had called on the board to order Delta and Eastern Air Lines to provide equal facilities for colored persons at the terminal.

James Anton, CAB director, notified Mr. Tilley and the three others that unless they filed motion for review within 15 days the board's letter could be regarded as an order dismissing the complaint.

IN ADDITION to Mr. Tilley, the complaint was filed by H.J. Palmer, S. S. Seay Sr. and Ralph D. Abernathy, all of Montgomery.

The four noted that facilities for colored at the airport were inadequate and unequal.

In dismissing the complaint, CAB ruled that it has never found it necessary to determine that operation of "terminal" facilities to be essential to performance of airline functions.

"Unlike the Interstate Commerce Act," it was added, "the Federal Aviation Act of 1958 does not include the terms 'terminals and terminal facilities of every kind within the board's power of regulation."

IN NEW ORLEANS, a Chicago insurance man has filed suit against the city because he was refused service at Moisant International Airport restaurant.

Thomas P. Harris, who said he sought service at the cafe on March 2 while between planes, charged that he was denied service because he is colored.

The case will be heard in Federal Court Wednesday.

Birmingham Negroes Ask Schools, Parks Mixing

BIRMINGHAM (AP) — Negroes fired a double-barrel court action at Birmingham's racially segregated schools and parks Friday.

In two U.S. District Court suits, Negroes sought to have the federal government order Birmingham's schools and parks integrated.

One suit charges that Birmingham maintains a separate school system for Negroes which is inferior to that operated for white children. This action was filed in the name of seven Negro children and their parents, including the Rev. F. L. Shuttlesworth, a Negro integration leader.

The second suit seeks integration of the city's parks and playgrounds.

The school suit attacks what it calls a "dual set of school zone lines" which overlap in some areas where Negro and white children both live.

"The biracial school system is predicated on the theory that Negroes are inherently inferior to white persons and, consequently, may not attend the same public schools attended by white children who are superior," the writ declares.

The action charges also that segregated schools are set up in the belief that Negro teachers are inferior to white teachers "and, therefore, may not teach white children."

The suit asks a permanent injunction against separate schools for white and Negro children in Birmingham.

The action names as defendants the city school board, its members, School Supt. Theo R. Wright and Eugene Connor, public improvements commissioner.

The suit was filed in the names of two of Shuttlesworth's children, four children of James Armstrong Sr., and a daughter of Vann English.

Attorneys who filed the action were W. L. Williams Jr., Birmingham, and Ernest D. Jackson Sr., Jacksonville, Fla.

The attorneys also filed the parks and playground suit. They said it was identical to one filed last October except that the city was named as the principal defendant and no city officials are named specifically.

Federal Judge H. H. Grooms dismissed the city as a defendant in the earlier suit.

But Jackson said he believes the new complaint makes the case against the city more clear and that it avoided the necessity of appealing the earlier decision.

The suit asks no damages but requests that segregation be eliminated in city parks.

FBI May Check Beating Charge

Minister Claims Prisoners Hit And Kicked Him In Montgomery Jail

MONTGOMERY, Ala., July 19.—The Federal Bureau of Investigation soon may be asked to investigate charges a young Boston minister was badly beaten and forced to eat a newspaper picture by two prisoners in the Montgomery County Jail.

The Rev. Ralph Edwin King, 23 year-old theology student at Boston University, told United Press International he was "attacked and beaten several times" while spending the night of July 11 in the fourth-floor jail of the Montgomery County Courthouse.

Two men hit me, kicked me, knocked me down and stepped on me and slapped me around," King told UPI. "The guards knew about it but did nothing."

Trespassing Charge

The ordained Methodist minister said the two men, who shared the same cell with him, broke one of his front teeth, badly bruised his jaw and caused "several aches" from the alleged pummeling.

"They also forced me to eat a picture which appeared in the paper—a picture of me, Rev. Embry and Miss Anneruth Young," King said.

King and Embry were arrested on charges of trespassing and refusing to obey an officer June 7 when the two tried to integrate the dining room of the Jefferson Davis Hotel. The two men were given 10 days hard labor and fined $200 by Recorder's Court Judge Eugene Loe.

Sheriff Mac Sim Butler said he questioned the two prisoners in the cell with King after he heard about the beating from UPI. He said his investigation showed "there was nothing to it."

'Hogwash' Label

Butler labeled as "hogwash" King's charge the two prisoners who beat him may have been members of the Ku Klux Klan planted in the cell to attack him.

King and Embry spent almost three days in the City Jail, mowing grass and chopping wood, before they appealed their convictions to Circuit Court. Both defendants were found guilty of trespassing by Circuit Judge Eugene Carter July 12 and the jurist ordered them jailed overnight while he decided what the hard labor sentence should be.

King claims he was beaten that night. The next day Carter sentenced both defendants to 90 days hard labor and they immediately appealed.

Chief Warden W. J. Williams said he knew nothing about the beating.

FBI Notified

"If he was beaten up," Williams said, "I am the man he should have told about it. He never said anything to me."

Asked if King's physical appearance showed any signs of having been roughed up, Williams said, "No. As a matter of fact I was there with his attorney and his bondsman when he made bond and he didn't say anything about being beaten and he didn't appear to have been roughed up in any way."

The FBI in Washington said it knew about the incident because King reported it to the FBI office in Montgomery. The Washington office said, however, no formal complaint had been filed. The office said it assumed a complaint would be filed by King in Boston and that it would go through channels to the Justice Department which would decide whether to launch an investigation.

Birmingham Citizens File Suits In Federal Court to Compel City To Integrate Schools and Parks

Attack Idea That White Teachers and Students Are Superior to Negroes

Negro School Inferior to White

BIRMINGHAM.—(ANP)—Segregated schools and parks were twin targets of a legal assault launched last week by Negroes here trying to put an end to jim crow.

In two U. S. District Court suits, Negroes sought to have the federal government order Birmingham's schools and parks integrated.

One suit charges that Birmingham maintains a separate school system for Negroes which is inferior to that operated for white children.

This action was filed in the name of seven children and their parents, including the Rev. F. L. Shuttlesworth, a Negro integration leader.

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Seek Permanent Injunction

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The suit was filed in the names of two of Shuttlesworth's children four children of James Armstrong sr., and a daughter of Vann English.

Attorneys who filed the action were W. L. Williams jr., Birmingham, and Ernest D. Jackson sr., Jacksonville, Fla. Williams is a graduate of Fisk university and Boston University Law school.

The attorneys also filed the parks and playground suit. They said it was identical to one filed last October except that the city was named as the principal defendant and no city officials are named specifically.

Federal Judge H. H. Grooms dismissed the city as a defendant in the earlier suit.

Case Clarified

But Jackson said he believes the new complaint makes the case against the city more clear and that it avoided the necessity of appealing the earlier decision.

The suit asks no damages but requests that segregation be eliminated in city parks.

Two Sentenced To Hard Labor

Minister, Negro Given Indefinite Terms In Hotel Dining Case

MONTGOMERY, Ala., July 12.—A young Northern minister and his Negro companion were sentenced to an indefinite term at hard labor and fined $200 Tuesday for the bold attempt to integrate a downtown hotel dining room.

Circuit Judge Eugene Carter said he would determine later how long the Rev. Ralph Edwin King Jr. and Negro Elroy Embry would serve at hard labor for trespassing and refusing to obey an officer.

Court Nearly Empty

The large segregated courtroom was nearly empty during the hour-long trial. Only nine Negroes and a few whites watched the trial.

Judge Carter passed sentence shortly after Negro defense attorney Fred Gray said the arrest of King, 23-year-old Boston University theology student, and Embry was "a discriminatory act brought about solely because of Embry's race and color."

Gray tried to prove the trespassing charge was the result of the city's attempt to impose segregation. The Negro attorney emphasized King was registered at the hotel and Embry was his invited luncheon guest.

Judge Carter said, "The court takes this position—that a hotel can ask anyone, white or black, to leave if their presence violates the hotel's policy."

Manager Claims Privilege

Carles A. Dione, manager and vice president of the Dinkler-owned Jefferson Davis Hotel where the luncheon attempt took place, told the court he refused service to King and Embry because "we have the privilege to refuse service to anyone." Mr. Dione said he asked the Negro and his white host to leave the hotel coffee shop three times with no success. He said he called police after the two defied his request to leave the coffee shop.

Mr. Dione quoted the ordained Methodist minister as saying, "We can do this in New York, Chicago and Boston." He said he told King, however, "We don't do it here."

Waitresses Called Manager

Mary Ruth Sanders, a waitress at the coffee shop, testified no one attempted to wait on King and Embry when they entered the restaurant. She said the waitresses immediately called for the hotel manager.

King, formerly of Jackson, Miss., and the 33-year-old Embry entered the coffee shop at the all-white hotel June 7—just a few hours after they were found guilty and fined in circuit court of participating in an integrated luncheon in March with 18 other whites and Negroes.

King, who attended Millsaps College at Jackson, Miss., told United Press International in a cell block interview, "When laws are evil as these in Montgomery are, one has the right—the moral obligation—to disobey them. We must take the situation in our own hands."

Shelby County fourth to form mounted posse

Mounted white posses to deal with racial disorders or other emergencies have been formed or are being organized in four Central Alabama counties.

Shelby County became the fourth this week, joining organization efforts or operations in Montgomery, Dallas and Autauga.

The Montgomery and Dallas posses already are active.

More than 100 Autauga County men have volunteered for special duty there.

THE SHELBY posse, consisting of 10 men, will be identified only by Western-style hats. The men were described by Sheriff C. P. Walker as giving "excellent cooperation" with his office in strengthening forces.

Autauga Sheriff George Grant said he is screening the applicants in that county but has not determined how large the posse will be.

Rival Negro Leaders At Odds Over Future Action Course

Leaders of two rival Montgomery Negro organizations were at odds Friday over a future course of action.

First one said that a protest march on the Capitol would result if any Alabama State College students are expelled for being in the sitdown demonstration at the courthouse Thursday.

The other leader then said it wasn't so.

The Rev. Ralph D. Abernathy, Montgomery Improvement Assn., president, discounted a statement by The Rev. Uriah J. Fields, pastor of the Beh Street Baptist Church and president of the Montgomery Amelioration and Restoration Society.

Fields said he understood that a spontaneous movement has developed among Montgomery Negroes to organize the protest march.

"There may well be 8,000 or 10,000 people in the march," he said.

Abernathy said his organization and the Negro leaders in Montgomery have never felt it necessary to comment on any of the "false charges and accusations or erroneous information" released by the Rev. Fields.

"I do not believe that he speaks the sentiments of the students at Alabama State College," Abernathy said. "Neither do I feel that any intelligent group of students will follow his leadership in any proposed march on the Capitol.

"If and when the governor expels any student because of participation in these orderly, nonviolent demonstrations, then the responsible Negro leaders of this city will make known their form of protest.

"We regard this announcement as untrue and just another gesture (by Fields) to receive publicity thereto."

Beer License Revoked At Cafe Where Negroes, Whites Dined

A Negro cafe here where a group of whites and Negroes lunched together last week has had its license to sell beer revoked by the Alabama Alcoholic Beverage Control Board.

ABC Administrator Ed Azar said Friday the beer license issued to the Regal Cafe had been canceled.

Azar said the action was taken because the cafe sold beer to minors, sold beer after hours and was operated "in such a manner that would tend to cause a breach of the peace."

The cafe was closed by city officials as a fire hazard after the integrated luncheon. They ordered it closed until safety specifications required of commercial establishments are met.

It was at the Regal where a group of white sociology students from MacMurray College in Jacksonville, Ill., accompanied by their professor and his wife and a white ministerial student from Boston University, were arrested while having a meal with seven Montgomery Negroes.

Three Alabama State College students and two others who had been expelled from the college because of their part in recent anti-segregation demonstrations were in the group arrested.

The white students were visiting in Montgomery to study "nonviolent social change" as employed in the mass Negro bus boycott.

All 20 defendants were convicted of disorderly conduct in city court and fined. They appealed to higher courts.

Azar also revealed that ABC Board action had been taken against several other local licensees.

The beer license held by the High Hat, 3912 Mobile Highway, was revoked on charges of selling beer to minors; given an indefinite suspension was the beer license held by the Court Street Delicatessen, 30 Court St., for selling beer to minors and selling beer to persons visibly intoxicated; Pat's Place, Rt. 6, Montgomery, indefinite suspension of its liquor license for the possession of non-taxed liquor; Riverside Inn, Rt. 5, Montgomery, beer license indefinitely suspended for possession of non-taxed liquor.

'Confederate' Cavalry Set In Selma, Ala.

SELMA, Ala. — Confederate General "Jeb" Stuart, who led the South's notorious cavalry troops in the Civil War, would have been proud to have been in Selma, Ala., last week.

• A modern version of Southern cavalry, being led by Captain-of-sheriff's deputies, Jim Risher, Tyler, Ala., cattleman (who, also, is chairman of the Dallas County White Citizens Council), now is riding, daily, the streets of this town, on horseback, four abreast, and "half-a-hundred" strong.

The "cavalry" is composed of sheriff's deputies, said to be taking part in drills of the same type performed by volunteer firemen.

All of this is because Negroes in adjacent Montgomery, Ala., are threatening to stage peaceful "sit-in" demonstrations. Dallas County Sheriff Jim Clark and a group of his deputies were called to Montgomery, March 9, to maintain order there, during a demonstration which did not materialize.

■

UPON THE SHERIFF'S return, a small ad for more deputy sheriffs was placed in the late afternoon edition of the local daily, which does not reach rural outskirts until the following day.

But the same afternoon, more than 300 men from all parts of the county, came to the courthouse and were sworn in enmasse into an armed, mounted posse and a companion unit, an armed dismounted posse.

The newly sworn men were told they must provide their own horse, horse-trailer, guns and transportation, and "must be able to leave whatever they are doing at a moment's notice."

■

THE SHERIFF told the men that he "has the power to deputize as many men as I think are needed." He warned the men against carrying guns without a permit, except on duty, but permits can be issued, regularly, by the sheriff's office for one dollar each. At least 300 more "volunteer" deputy sheriffs were sworn into the dismounted force, with more than 150 of them having come in to be "signed up and sworn in" since the March 11, mass induction.

At the standing-room-only group induction, Sheriff Jim Clark told the new men that he could no longer count on the courts to dispense justice; that the members of the posse should be right when they act and whatever their action is, the sheriff's office would stand back of it. He added that he was in constant touch with the state attorney general and that the posses would be used in other counties when called.

County Solicitor Blanchard L. McLeod said at the time of mass swearing-ins: "We must meet fire with fire. The day of passive resistance has passed."

Mobile whites OK golf on integrated courses

MOBILE, Ala. (ANP) — At least 43 golfers here indicated last week that they would rather play with Negroes than have the course closed if a federal judge orders the facility integrated.

Mayor Joseph N. Langan said the petition was placed at the course to determine how the golfers felt. Pro Tom Klumpp said no count was taken of those who declined to sign the petition.

U.S. DIST. JUDGE Daniel H. Thomas has under study a suit by three Mobile colored citizens asking that he order the course integrated. The suit was filed in 1958, and a hearing on the merits of the case was held last January.

If Thomas orders the course integrated and if the wishes of the petitioners are granted, colored people would be allowed to use the course, but Negroes and whites would not be allowed to play in the same party.

"The city commissioners will make the decision about opening or closing the golf course," Langan said.

Shelby To Form Mounted Posse

COLUMBIANA (AP) — Plans are under way for a mounted posse to help keep peace in emergencies in Shelby County. It is the fourth county in central Alabama to announce formation of a posse.

Sheriff C. P. Walker said the possee would consist of 10 men.

Earlier, Montgomery, Dallas and Autauga counties announced plans for posses.

Ala. Jails Jim-Crow Fighter

BIRMINGHAM, Ala. — The Rev. F. L. Shuttlesworth, integrationist leader, has been convicted of giving false information to police and ordered to pay a $100 fine plus costs and to serve 180 days in jail.

The clergyman was tried in Recorder's Court before the cases of 10 Negro students accused of disorderly conduct during sitdown demonstrations at five downtown stores were called.

Shuttlesworth and Rev. Charles Billups, also had to face charges of aiding and abetting the demonstration.

Tom Reeves, a white Birmingham-Southern ministerial student, was charged with intimidating a witness and vagrancy in connection with the demonstration but his trial was postponed.

About 150 Negroes and several whites stood outside the modernistic Birmingham city hall before court opened.

Shuttlesworth, who was defended by five attorneys, was accused of sending a telegram to Birmingham police chief Jamie Moore which alleged that a Negro had been abducted and emasculated by white men on Feb. 24. The alleged victim, James Mallory, was treated for several wounds he said he received in a fight with his wife.

Shuttlesworth testified that he sent the complaint after

hearing about it from another party and after an investigation by three persons at his request.

On Racist Precipice Birmingham Fears Civil Strife Near

The Courier-Journal
Louisville, Ky
Wed 4-13-60
P 1 6

Whites And Negroes Share Streets, But Not Much Else

By HARRISON E. SALISBURY
New York Times News Service

Birmingham, Ala., April 12.—From Red Mountain, where a cast-iron Vulcan looks down 500 feet to sprawling Birmingham, the City seems veiled in the poisonous fumes of distant battles.

On a fine April day, however, it is only the haze of acid fog belched from the stacks of the Tennessee Coal & Iron Company's Fairfield and Ensley works that lies over the city.

But more than a few citizens—both white and Negro—harbor growing fear that the hour will strike when the smoke of civil strife will mingle with that of the hearths and forges. They may be wrong. The day may never come. But fear that it will lies heavy in many Birmingham hearts.

It is not accidental that the



PASTOR SHUTTLESWORTH
Jailed on successive days

Negro sit-in movement has only lightly touched brooding Birmingham. But even these light touches have sent convulsive tremors through the delicately balanced power structure of the community.

Whites and Negroes still walk the same streets in Birmingham. But these, together with the water-supply and sewer system, are about the only public facilities which they share. Ball parks and taxicabs are segregated. So are libraries. A book featuring black rabbits and white rabbits was banned. A drive is on to forbid "Negro music" on "white" radio stations.

Neither Talk Freely

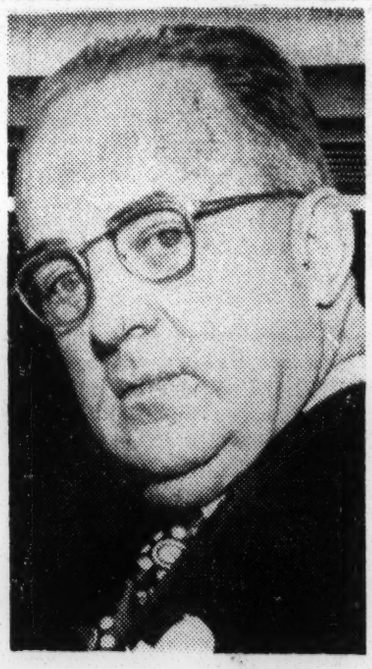
Long since, every channel of communication, every medium of mutual interest, every reasoning approach, every inch of middle ground has been fragmented by the emotional dynamite of racism—reinforced by the whip, the razor-armed blackjack, the gun, the bomb, the torch, the club, the castrating knife, the mob, the police, and many of the branches of the state's apparatus.

In Birmingham neither Negroes nor whites talk freely. A pastor carefully closes the door before he speaks. A Negro keeps a weather eye on the sidewalk outside his house. A lawyer talks in Aesopian language of conspiracy. Telephones are tapped—or there is fear of tapping. Mail has been intercepted and opened. The eavesdropper, the informer, the spy has become a fact of life.

Many Stand Guard

Volunteer watchmen stand guard 24 hours a day over some Negro churches. Synagogues have floodlights and caretakers. Dynamite attempts have been made against the two principal Jewish temples in the past 18 months. In 11 years there have been 22 reported bombings of Negro churches and homes—and a number never reported officially.

To one long accustomed to the sickening atmosphere of Moscow in the Stalin days, the aura of the community which once prided itself as the "Magic City" of the South is



Associated Press Wirephoto
EUGENE CONNOR
"The law in Birmingham"

only too familiar. To one who knew Hitler's Germany it would seem even more familiar.

Today whites and Negroes share but one thing in Birmingham. Both inhabit a common community of fear.

'Dangers Very Real'

"I have lived in Alabama all my life," said a newspaperman. "Birmingham is going to blow one of these days. And when that happens that's one story I don't want to be around to cover."

"I'm ashamed to have to talk to you off the record," said an educator. "It is not for myself. But these are not ordinary times. The dangers are very real and people up North must realize that."

"Excuse me," an educated Negro woman said. "But I don't understand the white people around here. They seem to act so crazy. It doesn't make any sense. Don't they know there is a limit to what people will stand?"

Quiet In Early Phases

Birmingham was quiet during the early phases of the student protests. Two months back a dozen Negro students went to a public park and launched a brief "prayer for freedom," which was summarily curtailed when police arrested them on a charge of public disorder.

Then on April 2 ten Negro students went two by two into five downtown Birmingham stores. They made small purchases and then sat at the lunch counters. All were arrested immediately on charges of trespass.

The next 72 hours were busy ones for Birmingham police. They arrested three Negro ministers, the Revs. F. L. Shuttlesworth, Charles Billips, and C. Herbert Oliver. Mr. Shuttlesworth was arrested twice on successive days. They arrested Thomas Reeves, a 21-year-old white Birmingham Southern College student and part-time preacher, and Jessie Walker, a Negro student from Daniel Payne University.

Vagrancy Handy Charge

Each of those arrested was charged with vagrancy. In addition, Reeves and Mr. Oliver—who was hauled barefooted and in his bathrobe from his home—were charged with intimidating a witness.

The use of the vagrancy charge was not accidental. By Birmingham custom, persons charged with vagrancy are not admitted to bail. They are held incommunicado for three days. In actual practice such a prisoner sometimes is permitted to make one telephone call. But not always. A person arrested on a vagrancy warrant often simply disappears for three days.

This device is a favorite of Birmingham's Police Commissioner Eugene Connor. Connor is a onetime sports broadcaster, known as "Bull" because of the timber of his voice. He served as Birmingham police commissioner for 16 years in the late 1930's and 1940's. His administration was a stormy one. For several years he went into eclipse, but made a comeback in 1958, running on a platform of race hate.

Pastor Favorite Target

"Bull is the law in Birmingham, like it or not," a businessman said. Connor is the author of many widely quoted aphorisms. He once said, "Damn the law—down here we make our own law." On another occasion he declared, "White and Negro are not to segregate together."

Mr. Shuttlesworth has been a frequent target of Connor's men. He has three different cases on appeal. His church has twice been bombed. In one bombing his home was destroyed. Both he and his wife were injured and a white pastor was manhandled by a Birmingham mob when they sought to use the white waiting room of the bus depot.

A cross was burned on the Birmingham Southern campus — possibly because of the Reeves case, possibly because 97 Birmingham Southern students signed a petition to Governor John Patterson protesting his action in forcing the Alabama State College to expel Negro sit-in demonstrators. The petition did not protest segregation. It protested political interference with academic process.

Not everything goes according to the segregationists' plan—even in Birmingham. At the height of last week's tension the Harvard debating team came to town. It met in an open and publicly announced contest with the debate squad of Miles College, a Birmingham Negro school.

Whites and Negroes talked from the same platform. Whites sat with Negroes in the audience in violation of one of Birmingham's most cherished ordinances. No police turned up.

It could not have been more normal or peaceful had the contest been held at Cambridge, Mass. Perhaps, said one participant, "Bull's boys don't read the papers."

Segregation Issue Seen In Vandalism

A segregation dispute was behind recent vandalism at four ice cream parlors, the operator of one of them said Friday.

Oliver Mims, who owns a Dairy Queen store at 618 S. Decatur St. and has an interest in three others, said unidentified persons have called his employes protesting the fact that Negroes and whites are served from the same window.

Mims testified concerning the vandalism in Recorder's Court Friday where his son-in-law, E. J. Fabarez, was charged with carrying a concealed pistol. Police said Mims, Fabarez and two other men were sitting in a parked car Thursday night near the Decatur street ice cream store.

WEAPONS FOUND

Police found a loaded rifle and two pistols in the car but only the pistol owned by Fabarez, an airman stationed at Maxwell, was concealed.

The men explained they were "guarding" the ice cream parlor and Judge Loe, after warning the men not to take the weapons back to the store, placed Fabarez on 30 days probation.

Mims said later he and his companions were waiting at the store in hope of identifying the vandals if they returned.

EGG SHELLS

He said that in July, vandals threw egg shells filled with paint at the Dairy Queen establishments and that in August, they tossed light bulbs filled with tar.

Mims said he had complained to police and "they said they couldn't do much about it." However, an offcer told Judge Loe that police have been making "periodic checks" of the ice cream parlors.

He said the callers, who refused to give their identity, complained that Dairy Queen firms in other cities maintained separate windows for Negroes and whites.

Negro High School Granted Permit For Parade By City Commissioners

The City Commission Tuesday granted a Negro high school permission to stage a football parade in a predominantly Negro area.

Granting of the permit was in keeping with earlier action taken on requests by white high schools. Robert E. Lee and Sidney Lanier schools also have been authorized to stage football parades in the vicinity of the school grounds.

Official policy of the commission discourages downtown parades on the ground they interfere with traffic flow and parking.

Tuesday's parade request came from W. E. Thompson, principal of Carver High School. In the written application. Thompson said the Negro procession would begin at 1:45 p.m. on Oct. 21, at the intersection of Oak street and Fairview avenue.

From there, Thompson said, the parade of some 800 to 900 persons would go up Oak street to Jeff Davis avenue, thence to Holt street, to Early street and break up.

Police Commissioner L. B. Sullivan made the motion that the permit be approved "in accordance with the request as outlined," and Commissioner Frank W. Parks concurred.

Mayor Earl D. James was not present at the commission meeting, being in Birmingham to address a Junior Chamber of Commerce meeting.

In a statement issued Monday, Sullivan assailed reports that the commission's policy of discouraging downtown parades was linked to racial issues. The policy, he said, actually was initiated because of growing traffic problems in the downtown area.

For many years, the Negro colleges of Tuskegee Institute and Alabama State have staged giant downtown parades on Thanksgiving as a prelude to their annual football game in Cramton Bowl.

But so far, no parade request has been received from the colleges.

The commissioners have declined to speculate on the possible fate of such a request, if it is tendered. Sullivan said every request will be "judged on its own merits."

Alabama Mixing Suit Filed

BIRMINGHAM (AP)—A group of Negroes filed suits Monday seeking a federal court injunction to end segregation on the municipal airport limousine and in the airport restaurant.

The two suits contended Negroes were prohibited from riding in the limousine and were denied service in the restaurant earler this month.

The suits were filed by The Rev. F. L. Shuttlesworth, The Rev. Charles Billups, L. J. Rodgers and James Armstrong, all of Birmingham, and Len Holt of Norfolk, Va.

In one suit, Shuttlesworth and Holt contend that Shuttlesworth's daughter Patricia and Holt were not allowed to ride in the airport limousine on Sept. 16.

The limousine service is operated by City Cab Co.

In the other suit, Shuttlesworth, Holt, Billups, Rodgers and Armstrong contended they were denied service in the airport restaurant Sept. 7.

The restaurant is operated by Dobbs House, Inc.

Along with the requests for injunctions, the plaintiffs asked $33,000 damages in each suit.

Alabama Negroes Seek To Meet And Protest Without Police Harassment

BIRMINGHAM, Ala.—Two Negro leaders filed suit in federal court here Sept 7 to establish their right to assemble peacefully without harassment by police.

They asked the U.S. District Court to stop the Birmingham police department from sending detectives to regular weekly meetings of the "Alabama Christian Movement for Human Rights."

The suit charges that this practice is a form of intimidation and violates rights guarenteed to American citizens by the First Amendment to the U S Constitution. The First Amendment provides for freedom of assembly, speech, press, petition and religion. The suit also cites the Fourteen Amendment, which makes the U.S. Constitution applicable to the states.

The action was filed by the Rev Fred L. Shuttlesworth, president of the ACMHR, and the Rev Charles Billups, another leader of the civil rights organization. Mr Shuttlesworth is also secretary of the Southern Christian Leadership Conference and a director of the Southern Conference Educational Fund, both Southwide civil rights organizations.

Defendants in the suit are Police Commissioner Eugene (Bull) Connor and Police Chief Jamie Moore. Mr Shuttlesworth and Mr Billups also ask for $97,000 damages.

The two ministers acted as their own attorneys. Len Holt, civil rights attorney from Norfolk, Va, helped them draw up the suit, but he was barred from acting as their attorney. This resulted from a previous ruling that no out-of-state lawyer can practice in Federal Court here, unless he is associated with a local attorney.

City detectives began attending meetings of the ACMHR when Birmingham Negroes rode city busses integrated in October, 1958. The organization has always met once a week since then and the detectives were always in the front row taking notes.

Mr Shuttlesworth and Mr Billups state in their suit that they are "seeking to secure the rights of the Negro people of Birmingham to plan and protest against the noxious practice of racial segregation so wide-spread in Birmingham without being subjected to further police intimidation."

Second Accusation Tossed Out

Ala. Saves Face: Drops King Case

By TREZZVANT W. ANDERSON
(Courier Roving Reporter)

MONTGOMERY, Ala. — Alabama saved its face from being shown up again in court for its harassment and persecution efforts against Dr. Martin Luther King Jr., recently, by dropping the second perjury charge it made against the young integration leader last February.

The state had already been placed in a ridiculous light by the first trial—in which Dr. King was acquitted.

Just for the record—and so there will be clear evidence that the state was not trying to show vaunted "Southern justice" in the case—let it be known to everyone that the state didn't have a case from the very start on either charge, for they had indicted Dr. King on joint returns of himself and his wife Mrs. Coretta E. King.

■

AT HIS HOME in Atlanta before leaving for the Republican National Convention in Chicago Dr. King told The Courier that one of the first observations made by his chief defense counsel Atty. W. Robert Ming of Chicago was that it was a clearcut case of harassment and persecution. Attorney Ming made the statement as soon as he saw the returns which were joint returns. Mrs. King was not included in the indictments.

This reporter saw one of the returns at the trial last May. It was signed by Mrs. King alone. Dr. King confirmed that was true, saying it was probably the 1957 return which had been offered into evidence by state.

Out of 248 photostats of bank records and cancelled checks on the Citizens Trust Co. and the Mutual Federal Savings and Loan Co. of Atlanta, and three on the Citizens Federal Savings and Loan Co. of Birmingham, only 28 checks were signed by Dr. King himself. The others were signed by Mrs. King.

Thus, it was easily apparent that Alabama was trying "to get" Dr. King, and on a most flimsily prepared case at that. His skilled Negro counsel made the state's prosecutors look silly and no jury could have returned a verdict other than that brought in last May.

So, rather than risk a second exposure to the very ridiculous, Alabama threw in the towel. Thus ends that phase of the Martin L. King Jr. "inquisition."

—1910-GOLDEN ANNIVERSARY-1960—

Negroes Seek Protection In Alabama City

PHENIX CITY, Ala. (AP) — Negro residents of North Phenix City Tuesday presented a petition to city commission charging that white teen - agers have been riding through the neighborhood throwing eggs, rocks, and shooting guns.

The petition, signed by 18 residents, was presented by The Rev. A. C. Daniels, who asked for "some kind of protection."

Daniels said that the group had reported the incidents to the police chief, but that last Sunday night the white youths made still another wild swing through the area firing guns.

Police Chief Norris West said that he had investigated earlier incidents, but the citizens refused to prosecute the boys involved at the time.

The petition stated that the incidents began in May.

ALABAMA

Report Racial Disturbances In Montgomery Soft-Peddled To Prevent Further Violence

MONTGOMERY, Ala.—(ANP) Reports were circulating here last week that a series of racial flare-ups had occurred but that information had been suppressed to prevent the disorders from spreading.

Police declined to confirm or deny a story published in the Alabama Journal concerning a reported clash between gangs of white and Negro teenagers.

Accosted By 3 White Men

In another incident, a white woman told officers she and a Negro who accompanied her on a bill-collecting mission were accosted by three white men. She said they tried to drag the Negro out of her car.

But police, who identified her only as the wife of a doctor, said she refused to sign a complaint.

The Journal said the reported battle between white and Negro youths erupted into fist fights and rock-throwing.

The newspaper said four white youths waiting at a traffic light were cursed by a group of some 10 Negroes.

Leave, But Return

The white boys left, but returned with reinforcements, the Journal reported, and the fight started.

Police Commissioner L. B. Sullivan declined to comment. He said a report will be made public after the investigation is completed.

Sullivan also said he had no detailed information about the reported attack on the white woman and the Negro.

He said the incident had been called to his attention by Police Chief G. J. Ruperthal, but Ruppenthal told newsmen he had received no formal report at that time.

Mayor Of Birmingham Ousts Integrationists From Office

BIRMINGHAM (AP) — Three young Negro men who met with Mayor James Morgan to discuss segregated lunchroom seatings said they were ushered from his office before they could outline their program.

"I have nothing at all to say about it," said Morgan of the meeting. "I think the least said about it the better off Birmingham will be."

The Negroes were Jesse Walker, 23; Clyde Carter, 29, and Alphonso Crawford, 21, all of Birmingham.

Walker was among 10 Negroes convicted of trespassing after warning following a Negro sit-in demonstration at downtown eating establishments last March.

All posted appeal bonds.

"The mayor said he would listen to our program after he told us of the progress the Negro has made in Birmingham in the last 100 years," said Carter after the meeting Tuesday.

He added that the three listened to Morgan but said when they started to outline their program the mayor's executive secretary asked them to leave.

"I asked Mr. Morgan who was the mayor here," said Carter, "and then he asked us to leave his office."

Abernathy Shifts Phone Number

The Rev. Ralph D. Abernathy, the Negro integration leader, has had his home telephone changed to a private number which only Abernathy or his family is authorized to give out.

The pastor of the Negro First Baptist Church is president of the Montgomery Improvement Assn. and was one of the leaders of the bus boycott here.

In recent months, he has taken an active part in repeated demands for school integration. He said earlier this month that federal court action is inevitable unless the Montgomery School Board voluntarily submits a desegregation plan.

The reason for the change in telephone numbers was not made known. Abernathy was reported out of the city, and a secretary in his church office said she knew nothing about it.

Abernathy's predecessor as head of the improvement association, the Rev. Martin Luther King Jr., also had an unlisted number at his residence here before he moved to Atlanta early this year.

King had his phone number changed after an attempt was made to bomb his house.

3 Negroes Ask Protection From Rock-Throwing Youths

PHENIX CITY (Special)—Three Negro ministers Tuesday asked the Phenix City Commission for protection from what they described as "rock-throwing, dangerous white teen-agers."

The men, the Reverends A. C. Daniel, J. H. Flakes and C. L. Daniel, brought before the city governing body a petition bearing the signatures of 19 Negroes asking for protective measures.

The Rev. A. C. Daniel, spokesman for the group, said white youths have made it common practice to drive through their neighborhood at high speed, throwing rocks, eggs and fruit.

"Then on Sunday night, they drove through our section and fired shots," said Daniel.

Mayor W. B. Mims Jr. told Daniels that he had probably wasted his time in coming to the commission meeting. He told Daniel a report to the police would have been sufficient.

"We've reported to the police," Daniel said. "I turned over an automobile license number to the chief and reported it several times. I'm afraid someone will be seriously hurt or killed if this keeps up."

Police Chief Norris West said he had received complaints on the matter. "We investigated a report about a month ago and actually stopped a car of teenagers near the section. I asked some of the Negroes if they wanted to press charges and they said 'No'."

The chief said they had talked to the boys but "apparently they've started back again."

The commission instructed West to investigate the complaints and report back to them.

Court Dismisses Park Mixing Suit

Federal Judge H. H. Grooms has dismissed for the second time a complaint filed by a group of Birmingham Negroes seeking an injunction to restrain Birmingham from segregating city parks.

The suit, filed by the Rev. F. L Shuttlesworth and 15 others, sought the injunction under Section One of the 14th Amendment to the Constitution — the "equal protection of the laws" section.

The court ruled that the Negroes could not proceed directly under the authority of the Constitution in a District Court.

"This section of the amendment is a shield for the protection of the rights enumerated," Judge Grooms' decision stated. ". . . It is not a sword for vindication (of the rights)."

The decision stated that since the plaintiffs could not proceed the amendment, they would have to fall back on the civil rights statutes. On this point, the Negroes had no case, since Judge Grooms had already ruled last Jan. 28 that the City of Birmingham was not a "person" within the meaning of the Civil Rights Act, and for that reason the judge had granted a motion to dismiss the city from an earlier park integration case.

Attorneys for the city had argued in their motion to dismiss that the new complaint was almost identical to the old park integration suit, except that the earlier suit asked relief under the Civil Rights Act, instead of the 14th Amendment.

The park integration suit filed earlier against Birmingham City Commissioners and members of the Park Board is still pending in Federal Court here, although the City of Birmingham has been dismissed as a defendant.

Parade Permits Given 2 Negro Schools

Applications of two Negro schools to hold football parades were approved by the City Commission Tuesday.

The parades, to be held in the vicinity of the schools, will be staged by St. Jude's Education Institute on Wednesday and by Booker T. Washington on Oct. 28.

According to the requests for permits, some 300 to 400 persons will be in St. Jude's parade and about 1,000 in the Booker T. Washington procession.

In other action Tuesday, the commissioners approved assessments for the paving of portions of LeBron avenue, Santee drive, Suwanee drive and Wade street.

The hiring of three replacements in the Department of Public Safety was ratified. Employed were Paul J. Lockett and Harold Golden, firefighters, and R. B. Campbell, policeman.

The commissioners voted approval of a retail beer license for D. & H. Supermarket, 700 Day St.

Judge Dismisses Integration Suit

BIRMINGHAM (AP) — U.S. District Judge H. H. Grooms Tuesday dismissed a suit brought against the city of Birmingham by 16 Negroes seeking racial integration of recreational facilities.

Grooms upheld the city's challenge of the suit, which contended the city could not be sued under the Civil Rights Act.

"I find no case wherein a contest has been tendered sustaining the right to proceed against a municipal corporation under the civil rights statutes," he said in his order.

The suit was filed last June by the Rev. F. L. Shuttlesworth and 15 other Birmingham Negroes, contending their constitutional rights were violated by segregation in city recreational facilities.

Judge dismisses suit against city by 16 Negroes

Judge H. H. Grooms today granted the City of Birmingham's motion to dismiss a suit filed in Federal Court against the city by Rev. F. L. Shuttlesworth and 15 other Negroes.

The suit, filed last June 17, asked the court to force the City of Birmingham to open all its recreational facilities to Negroes.

The suit cited many facilities in the city that are only open to white people in the community.

In the suit, it was asked that the use of city facilities be granted as stated in the Civil Rights Statutes.

JUDGE GROOMS said in his order to dismiss "I find no case wherein a contest has been tendered sustaining the right to proceed against a municipal corporation under the Civil Rights Statutes."

City Atty. J. M. Breckenridge earlier had filed an answer to the suit brought by Shuttlesworth asking the parks suit be dismissed, claiming the court had no jurisdiction, and stating that the suit failed to state any relief that might be granted and showed no "justifiable controversy."

The suit did not ask for damages and the city was the principal defendant.

City Answers Integration Suits

U. S. Court Asked To Dismiss Actions

BY DON CUMMINS

The City of Birmingham yesterday asked Federal Court here to dismiss two suits seeking integration of city schools and parks.

The city's answers to suits filed three weeks ago by two Negro groups were made by City Atty. J. M. Breckenridge.

The suit seeking integration of schools was filed by F. L. Shuttlesworth, James Armstrong and Vann English on behalf of their children.

The park suit was filed by a group of 16 Negroes.

The school suit lists as defendants the City Board of Education, all its members, S. G. Fullerton, W. H. Fieselman and Eugene Connor.

Fullerton is city comptroller, Fieselman is chief accountant in the city department of finance and administration and Connor is city commissioner under whose department the city schools operate.

In its motion asking to dismiss the suit the city says the complaint fails to "allege any facts" or "state any claim upon which relief can be granted."

Facts Are Denied

The city maintains no facts are alleged showing "justifiable controversy" and that control of the schools is not under Fullerton, Fieselman or Connor and they have no "power or authority to manage or control public schools in Birmingham."

Named as defendant in the park suit was the City of Birmingham as principal.

No city officials were named specifically.

In the case of the park suit, the city maintains the court is "without jurisdiction of alleged cause of action set forth in the complaint.

The complaint fails to allege facts or "state any claim upon which relief can be granted" and no controversy is shown by the complaint.

The original suits were filed by Negro Attorneys W. L. Williams Jr., and Ernest D. Jackson Sr., on June 18.

No Damages Asked

The park suit asks no damages, but requests that segregation be eliminated in city parks and asks for allowance of costs in the case only.

The school suit seeks to enjoin the Board of Education from "continuing . . . (its) . . . policy . . . of operating a biracial school system in the City of Birmingham."

The suit states that attendants at the various schools in the city is "based solely upon race and color . . ." and that "dual sets of school zones are maintained, based solely upon race and color."

The injury suffered by the plaintiffs is "irreparable," the suit states.

It asks the court to direct the Board of Education to present a complete plan of reorganization of the school system.

Judge H. H. Grooms dismissed the city as a defendant in an earlier suit, filed last October, asking for integration of the city parks.

No Middle Ground In Birmingham Brims With Race Bias

By Elsie Carper
Staff Reporter

BIRMINGHAM, Ala, April 16—Roadside placards erected by Lions, Rotary and Civitan clubs welcome visitors to most cities. Ku Klux Klan signs also welcome visitors to Birmingham.

The atmosphere of the Klan and white supremacy permeates this industrial city, and to a great extent, all of Alabama.

By default of the people in the middle, the broad problem of race relations has been left to the men on the extremes. The result is growing race animosity, disregard for minor

White youth attacks Negro demonstrator in Savannah, Ga.; Southern Negro leaders meet in Raleigh, N. C., to discuss segregation and the "price-tag of freedom." Page A14

ity rights, intimidation and acceptance of undercover brutality.

Birmingham is now in the throes of introspection, the result of a two-part series on the city and the suburb of Bessemer that appeared last week in the New York Times.

The Times found Birmingham city where "every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle ground has been fragmented by the emotional dynamite of racism, reinforced by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus."

The two newspapers in Birmingham have reprinted the articles in their entirety "as an example of what is being written and printed about us."

The Birmingham News called the articles "slander" and asked in the headline, "Can This Be Birmingham?" The three city commissioners have threatened to sue.

The reaction to the Times story by the white people of Birmingham (oblivious to the problem) is one of disbelief. This is not their prosperous-looking city.

Negroes, though, and some whites who have been beaten by men who take the law into their own hands, who have been hauled out of bed at night by the pounding fist on the door, and who have been arrested without knowing the charges, recognize this side of Birmingham.

Astute white observers of the city admit that there is a brooding hate in Birmingham and that if the Negroes ever rise up in large numbers to demand their rights, the city is going to blow.

Whether phones are tapped, mail intercepted and opened and whether spies and informers are used in Birmingham as has been charged is only part of the question. The fact that people feel that all this is true is part of the atmosphere of intimidation in Birmingham.

Closer to Surface

Race tensions are more acute and violence lies closer to the surface in Birmingham than in most other strongly segregationist-minded Southern cities.

Men familiar with Birmingham list several reasons for this.

The Negro population is large, about 42 per cent, and if allowed to vote would provide a powerful lever in city affairs.

White industrial wage earners see the emancipated Negro as a threat. These workers form the backbone of the White Citizens' Council movement and the Klan. As a result, labor unions play no part in bridging the chasm between the races.

Birmingham is a city not yet 100 years old. It has none of the ante-bellum charm, cultural restraints and grace of older Southern cities. It has a tradition of violence stemming from the labor struggles of the 1930s and the 1940s.

Over the past 11 years there have been 22 bombings of Negro homes and churches in the Birmingham area. Dynamite is not hard to come by in a mining community and men know how to use it.

The Rev. Fred Shuttleworth, militant Negro leader in Birmingham and the head of the Alabama Christian Movement for Human Rights, has survived two bombings including a blast from 20 sticks of dynamite placed under the bedroom where he was sleeping.

Most of the bombings were brought about as Negroes looking for new homes moved into white communities. The housing pressure has been somewhat relieved by the opening of new residential sections for Negroes.

Different Worlds

There have been no bombings in more than a year although attempts have been made on two synagogues. Some say this relative peace has been brought about because an arrest finally was made on the twenty-second bombing. Negroes caught and held for police a Klansman about to bomb a house. He was convicted.

Negroes and whites live in different worlds in Birmingham. Every conceivable facility is segregated, including parks and taxicabs.

An exception is the new Birmingham zoo. Both whites and Negroes contributed money to it. The question of two zoos never came up.

But, in the zoo park there is a train that children ride. The white and Negro children buy their tickets at separate windows and ride in segregated sections.

Of all the places in the South, Birmingham is one of the least likely to come up with any solution for the growing race problem. The entire approach is to keep the Negro "in his place."

Birmingham has no Negroes in its government, no Negro police or firemen and no interracial committees other than a group of ministers. If it had such committees, it would be impossible for them to find a place to meet.

The city has a single united fund, which collects money from whites and Negroes and supports a number of Negro organizations but Negroes do not serve on the board that runs the fund.

Birmingham had an intergroup relations committee financed by the Community Chest at one time. After the Supreme Court school desegregation decision in 1954, the White Citizens' Councils started a whispering campaign against it. Pledges of money to the Community Chest were canceled. The committee went out of business.

Several years ago Negroes went to court to test a city ordinance requiring segregated seating on buses. The City Commissioners then changed the ordinance giving public carriers the authority to set up regulations. The new ordinance did not mention race but the bus company policy is "Negroes seat from rear, whites seat from front."

13 Arrested

Thirteen Negroes were arrested for breach of peace and disorderly conduct when they tested the new ordinance. A Negro minister was arrested when he urged his congregation to boycott the buses.

Negroes are kept in check by intimidation running the gamut of beatings, kidnapings and mass arrests. Although it is forbidden by law, Klansmen wear masks in Birmingham.

A Negro was beaten in the court house at Bessemer after he was arrested for "inciting to riot" in urging Negroes to register and vote.

Last fall a Negro and his wife were forced from their house by four white men. The Negro was beaten and thrown out of the car. His wife was raped and dumped in the gutter. No arrests were made. The Negro was quoted as saying "I've got to live here. I've got to make a living. I'm not pressing charges against anybody."

A Negro elementary school girl was flogged by a white man with a bull whip after she was involved in an argument with a white elementary school girl.

Police may pick up anyone for vagrancy and hold him without bail and without the right to make a phone call for 72 hours. It is a favorite police device. Negroes have been known to disappear for that long with their families not knowing what happened to them.

Last month 12 Negro students were arrested in a park where they were demonstrating and passing out literature in behalf of civil rights legislation. A Birmingham newspaper called it "a mild and brief demonstration." The students were released after they were taken to jail and fingerprinted.

Days later a string of cars stopped in front of the Bessemer home of one of the students involved. About a dozen white men claiming to be police broke into the house. When the student resisted coming with them, they beat him, his mother and his sister with homemade blackjacks. The mother's leg was broken. The men had disappeared

when the police arrived. The mother has not pressed charges because she recognized two of the men as sheriff's deputies.

The bi-racial Birmingham Brotherhood of Clergy put out a statement expressing "grave concern over the act of violence and at the atmosphere of fear and insecurity that such acts breed. "It is collecting money to aid the family.

The "sit-in" demonstrations by Negro college youth at variety store lunch counters has made no headway in Birmingham. The movement was snuffed out by police Commissioner Eugene Connor as soon as it started.

Ten students divided into pairs and entered five stores. After purchasing other articles, they sought service at the lunch counters. Connor led swarms of police into the downtown area and arrested the students for violating an ordinance that makes it unlawful for a person to go on the premises of another and to remain after being warned not to stay.

Partition Required

Birmingham also has an ordinance prohibiting white persons and Negroes from eating in the same room unless separated by a partition extending from the floor up to at least seven feet. The law also requires separate entrances.

After the arrest of the ten students, two Negro ministers were charged wih conspiracy, presumably for planning demonstrations. The twelve have been sentenced to 180 days in jail and fined $100 each. Appeals are pending.

Three others, including a Negro minister and a white ministerial student, also were arrested and charged with intimidating the students. The Negro minister, the Rev. C. Herbert Oliver, later found not guilty, has sent an account of his arrest to the FBI.

He said two officers came to his home on a Sunday night, broke open the screen door and dragged him into the street barefoot and in his bathrobe. The next day he was told he was being held for vagrancy and violation of city ordinances.

The case against the white ministerial student is still pending. His family has received threats of death.

Police Commissioner Connor, who is charged with keeping the uneasy peace in Birmingham, is an elected official who runs on a race-hate platform. He is now a candidate for Democratic National Committeeman from Alabama. His booming voice has earned him the nickname "Bull."

$100,000 Suit Blames Boy's Death On City

Montgomery, Ala., Montgomery Advertiser, Thurs. 9-1-60

The death of a child whose head was crushed by a "spinning jenny" in a closed city park has brought a $100,000 suit against the City of Montgomery.

The child, 6-year-old David Chaffin of Adamsville, died last July 9 in Yancey Park, six hours after his head had been crushed between the whirling playground levice and a wooden post.

His father, Marlett M. Chaffin, filed the suit in Circuit Court Wednesday, charging that the city had been negligent.

The suit held that the city should have known that "children of tender years would resort to play on or about said spinning jenny."

'DANGEROUS CONDITION'

It further charged that the hand-operated device was in "dangerous or defective condition."

The boy was playing in the park at the time of the accident with his brother, Paul, 9, and a cousin, Tommy Stone, 11. He was visiting an aunt and uncle, Mr. and Mrs. Thomas M. Stone 2239 Madison Ave.

The other two boys said the spinning jenny stopped suddenly and that there was a "crunching sound" as David's head was caught between the post and a metal bar.

The spinning jenny is a circular contraption with a wooden platform supported by a framework of metal bars. Given a running push, it whirls around on its own momentum.

CHAIN BROKEN

Police who investigated the fatal accident found that a chain, which had prevented the device from being operated, was broken. Also broken was a steel cable which had been drawn across the entrance to the park area where the spinning jenny was located.

The park, along with other city parks, has been closed since January 1, 1959, when the city closed its parks rather than operate them on an integrated basis.

U. S. District Judge Frank M. Johnson Jr. has ruled that the parks must be integrated if they are opened.

ASC Youth Bares Attack By Negroes

The Montgomery Advertiser

A Negro student at Alabama State College — scene of recent pro-integration activities — was injured Sunday night when he was beaten about the head by a group of older Negroes.

The incident shattered the calm which had prevailed earlier in the day although immediate proof was lacking that the beating was connected with ASC student demonstrations against segregation.

Jethro Jackson, 20, of Birmingham, was beaten by four Negro men who dismounted from a pick-up truck at the intersection of Jackson and Thurman streets, which is on the college campus.

ARRESTS MADE

He was treated at St. Margaret's Hospital for superficial head injuries and released.

Police Lt. K. W. Jones said later Sunday night that investigating officers have located the truck and that the Negroes in it have been arrested. Names of the suspects were not immediately available.

Generally speaking, racial tensions eased in Montgomery Sunday in the abasence of downtown crowds and a Negro spokesman saidhis "guess" is that no demonstrations will take place Monday.

A few signs were found in various parts of the city asking white people to dismiss their Negro employes but there was a definite relaxation of the tennsions which brought bat-carrying white men into the downtown area Saturday.

NO ARRESTS MADE

Police are still investigating one incident in which a Negro woman was struck over the head with a bat Saturday. But so far, no arrest has been made in the case.

Tuskegee, scene of a march by over 300 studentsof Tuskegee Institute Saturday, was also calm Sunday. However, an official at the college said he "has information" that students there are planning a meeting Monday to determine if other action should be taken.

The official said one matter to be discussed is that of the arrest of an 18-year-old Negro boy, Clyde L. Hollie of Suffolk, Va. Hollie and a white man, Thomas C. Storey, were arrested Saturday after they engaged in a struggle.

Hearing of the case is set for March 7.

Jackson said his assailants dismounted from a blue Chevrolet pickup truck at the intersection of Jackson and Thurman streets, on the college campus, at about 7 p.m. Sunday night. He was walking with two male friends near the intersection when his attackers began insulting women students who were passing.

ACTING SILLY

"They were calling them names and generally acting silly, and one of my friends told them to stop it and get off the campus," Jackson said.

"One of them stole up behind me and began beating me about the head with a piece of two-by-four timber. Then they ran and jumped back on the truck and drove away," he said.

Jackson said: "They swore at us but they didn't give any indication why they attacked us. I guess it was because we told them to get off the campus."

"I didn't see if there were any markings on the truck. The police got the driver later though I believe."

The Rev. Ralph D. Abernathy, Negro integration leader, told a crowd at Ripley Street Baptist Church that an appeal is being made to white students of Huntingdon College, University of Alabama and Auburn University to join ASC students in a protest to Gov. John Patterson.

DEMAND PROTECTION

The Negro students petitioned the governor to renounce his stated intention to see that ASC students who took part in a sitdown demonstration are expelled.

Abernathy reiterated a statement made Saturday that Negroes will stop coming to the downtown area unless police and merchants protect them from white hoodlums.

Answering this, the board of directors of the Montgomery County Citizens Council, meeting Sunday afternoon, warned that economic reprisals "are not the monopoly of irresponsible Negro leaders and their followers and that such a response might very well turn out to be a two-edged sword."

TEASE, INCITE

The board attributed Saturday's violence to "so-called passive resistors who dare, tease and incite others to violence."

Dr. H. Councill Trenholm, ASC president, said his investigation of student demonstrations is "approaching completion." The report will be given to the governor.

Police Sunday took statements from two newsmen who witnessed the attack on the Negro woman. The statements were given by Ray Jenkins, city editor of the Alabama Journal, and Charles Moore, chief photographer of The Advertiser-Journal.

Police Commissioner L. B. Sullivan said investigation of the case is continuing.

Abernathy told reporters Sunday that ASC students "probably will not" hold any demonstrations Monday but will await an answer to their petition to the

DANNELLY INTEGRATION

The Montgomery Advertiser

CAB Balks Racial Plea

Montgomery, Ala.

Thurs. 5-26-60

WASHINGTON (AP) — The Civil Aeronautics Board declined Wednesday to order Delta or Eastern Air Lines, or the city of Montgomery, Ala., to provide equal facilities for Negroes at Montgomery's municipal airport, Dannelly Field.

James Anton, director of the CAB's bureau of enforcement, ruled that the CAB lacks jurisdiction over the city and its officials, and over certain terminal facilities provided by the airlines.

Anton notified individuals who had filed protests, on behalf of Negroes using Dannelly Field that he was dismissing their complaint.

NOTICE SENT

His notice went to John Lee Tilley, Baltimore, Md., and the following Montgomery residents: H. J. Palmer, 3436 Homeview St., S. S. Seay Sr., Rt. 3, Box 400-D, and Ralph D. Abernathy, 1327 S. Hall St.

Anton said that unless the complaints filed a motion to review with the CAB within 15 days, his letter could be regarded as a CAB order dismissing the complaint.

The complaint alleged that:

1. The airlines and the city gave unreasonable preference to white persons by providing them with separate restaurant, waiting room, water fountain and toilet facilities, and by denying the use of them to Negroes.

2. The "colored" waiting room facilities which Negroes were required to use were separate, inadequate and unequal.

NEVER NECESSARY

Anton said the Federal Aviation Act prohibits discrimination for reason of color, race or religion as to provision by the airlines of equipment and "facilities in air transportation."

He said the board has never found it necessary to determine that operation of such facilities is essential to performance of airline functions.

"Unlike the Interstate Commerce Act, the Federal Aviation Act of 1958 does not include the terms 'terminals, and terminal facilities of every kind' within the board's power of regulation," Anton said.

Equality Is Sought In Use Of Hospital

The Commercial Appeal Memphis Tenn.

Second Petition Presented In Phenix City

Thurs. 6/9/60

PHENIX CITY, Ala., June 8. —(UPI)—A group of Negroes has petitioned the city commission here for "equal facilities" at the city-owned Cobb Memorial Hospital.

The petition bore 587 names.

This was the second appearance of the group led by Rev. S. A. Phillips, Willis Battle and Austin Sumbry. They presented a similar petition to the three-man commission last fall.

Commissioners Jimmy Putnam, John Barbee and W. B. Mims Jr. told the Negroes the petition still contained no grounds which might lead to action by the governing body. The Negroes were advised last year to present their request to the hospital board.

Rev. Phillips said Tuesday no action was taken by the hospital board and he felt the petition should again be presented to the city commission.

The petition asks that Negroes be given the same facilities as whites at Cobb Hospital and that the facilities "be opened to all people on a first come, first served" basis.

It also stated "Negro doctors should be allowed to use the hospital."

Dr. Mims, a practicing physician, said he knows of no incident where a Negro doctor had been denied use of the hospital facilities.

On separate facilities—

Negroes lose case at state airport

WASHINGTON, May 26—(AP)—The Civil Aeronautics Board says it has no jurisdiction over the City of Montgomery, its officials, or even certain terminal facilities provided by airlines at Dannelly Field.

The action came after protest on behalf of Negroes using the Montgomery municipal airport were received by the CAB.

The board declined to order Delta or Eastern Air Lines or the City of Montgomery to provide equal facilities. James Anton, director of CAB's Bureau of Enforcement, said the complaint was dismised.

ANTON'S LETTER dismissing the complaint went to John Lee Tilley of Baltimore, Md., and to these Montgomery residents: H J. Palmer, S. S. Seay Sr., and Ralph D. Abernathy.

Anton said unless the complainants filed a motion to review with the CAB with 15 days his letter would be regarded as a CAB order dismissing the complaint.

THE COMPLAINT alleged that:

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Jail Three Negroes For Visiting Alabama Whites

MONTGOMERY, Ala. (UPI) — Three Negroes and two white men were jailed Tuesday night on charges of disorderly conduct after neighbors in two white residential areas reported visits by Negroes to white homes.

The white men, Maj. Rodney L. Cron, 37, and Vincent E. Wilson, 31, were arrested on warrants signed by their neighbors. Also jailed were three Negro men, Robert B. Hayes, 26, of Greensboro, N. C., Robert E. Cobbs, 39, of San Antinio, Tex., and Tommie Estell, 26, of Montgomery.

One of the complainants said Hayes and Cobbs drove up to the Cron residence in an all-white neighborhood, unpacked four suitcases from their car, and went inside.

A neighbor who visited the Cron home said the Negroes were inside the house carrying on a casual conservation with Cron and his wife. Cron, Hayes and Cobbs were arrested after warrants were issued.

Detective E. Y. Lacy and C. W. Jones said that about the same time in another white section, Wilson's neighbors complained that Estell got out of a car and began conversing with Wilson and his wife. A warrant was issued and Wilson and Estell were promptly arrested.

Wilson told police he did not know he was violating a law. A native of St. Louis, Mo. he said he lived in Chicago until he moved to Montgomery several months ago to work as an engineer.

He said Estell was his wife's supervisor at the Maxwell Air Force base hospital.

—Washington merry-go-round—

Montgomery racial incidents may hurt Dixie military work

(While Drew Pearson is en route to the Summit conference his associate, Jack Anderson, is covering the Washington scene.)

BY JACK ANDERSON

WASHINGTON, May 13—The armed forces, whose bases in the South are islands of integration, are handling the racial issue with the same tender care as live ammunition. But for all their efforts to prevent a blow-up, Negro service men in some Southern cities have felt the backslap of racial unrest.

The Air Force is now investigating two reported incidents in Montgomery, Ala., which have been kept out of the papers but which could bring pressure to move military bases out of the South.



ANDERSON

For two decades, such powerful congressional leaders as Senate Armed Forces Chairman Dick Russell of Georgia, Senate Preparedness Chairman Lyndon Johnson of Texas, and House Armed Services Chairman Carl Vinson of Georgia have brought political pressure to build military installations in the South.

Racial trouble could now reverse the roll of this military pork barrel.

Here are the reports which have caused serious concern in the Pentagon:

International incident

REPORT NO. 1—Two Ethiopian officers and two American Negro officers were stopped by Montgomery police who cursed and searched them in a manner which could have caused international repercussions, claims an Air Force report.

The Ethiopian visitors were Maj. Abera Marian and Lt. Johannes Marian, both attending the Allied Officers School at Maxwell Air Force Base. The Americans were Maj. Denzal Harvey and Capt. Philip Jeter Jr., on temporary duty at the Southern Officers School.

The Montgomery police reportedly confiscated a hammer from Maj. Harvey's automobile and hauled all four to the station house, threatening to book them for carrying a "deadly weapon." Unexplainedly they charged Harvey instead with "reckless driving."

The four officers, who were on their way to a barber shop when the incident occurred, told superiors they had no idea what provoked the police except general racial tension.

REPORT NO. 2—Airman Henry O. S. Mays, a Negro on emergency leave from Eglin Air Force Base in Florida, stretched out on a bench at Montgomery's Trailways Bus Station recently to snooze. He later reported a policeman prodded him with a night stick and ordered him to sit up.

Then another police officer, named Estes, allegedly started pushing Mays around.

Estes claimed that Mays cursed him, picked up his gun which had fallen out of his police holster and shot at him. Mays' story, later supported by Air Force investigators, was quite different.

The Negro swore that the policeman had punched him and struck him with a night stick. Mays knocked the club out of the officer's hand, then Estes allegedly pulled his gun and threatened to kill the airman.

Scuffle for gun

MAYS CLAIMED he rushed the officer and slapped him against the bus station wall. In the scuffle, the gun was knocked from Estes' grasp. Mays wheeled around, turning his back on the officer, to pick up the gun. When he grabbed it, the gun discharged accidentally into the floor.

Air Force investigators discovered the bullet mark and powder burns in the floor, tending to confirm Mays' story. They also interviewed Peter Tom Burch, the only eyewitness, who gave exactly the same details as Mays.

After the gun went off, Airman Mays put in a call to military authorities to report the incident and Estes ran for another phone to call the police station for help. The reinforcements allegedly dragged Mays to jail and beat him severely.

Air Force investigators found his right eye swollen shut, his lips puffed, face bruised, and three severe cuts over his eyebrow. They also discovered blood on his uniform, prison mattress and cell floor.

Disturbed over these incidents, the Air Force demanded a full report from Col. C. C. Harris, base commander, who met privately with city fathers. He reported that the Montgomery police chief and commissioners expressed their regret. For his part, Col. Harris ordered Negro personnel to keep out of town except for important business.—(c)

Rev. Abernathy Urges, 'Take Off Nixon Buttons'

ATLANTA, Ga. — Immediately leaving the Georgia courthouse when Dr. Martin Luther King was released, the Rev. Ralph Abernathy, president of the Montgomery Improvement association and vice chairman of the Southern Christian Leadership conference, called on everyone present "to take off their Nixon buttons."

He said he had been on the fence in the election, but was now ready to fight for Kennedy. Later he issued the following statement: "I earnestly and sincerely feel that it is time for all of us to take off our Nixon buttons. I wish to make it crystal clear that I am not hog-tied to any party. My first concern is for the 350-year long struggle of our people.

"Now I have made up my mind to vote for Senator Kennedy, not because of his party affiliation, the color of his skin or the texture of his hair or merely because of the way he looks, but because I am convinced he is concerned about our struggle.

"Senator Kennedy did something great and wonderful when he personally called Mrs. Coretta King and helped free Dr. Martin Luther King. This was the kind of act I was waiting for. It was not just Dr. King on trial. It was America on trial.

"Mr. Nixon could have helped, but he took no step in this direction. It is my understanding that he refused to comment on the case. I learned a long time ago that one kindness deserves another. Since Mr. Nixon has been silent through all this, I am going to return his silence when I go into the voting booth.

"Senator Kennedy showed his great concern for humanity when he acted first without counting the cost. He risked his political welfare in the South. We must offset whatever loss he may sustain.

"He has my wholehearted support because not only has he a great mind but now I am convinced that he also has a great heart. This is the kind of man we need at this hour."

Rev. Ralph Abernathy Arrested

SHREVEPORT, La. — (ANP) Local police, on Tuesday, arrested several prominent Negroes, active in the fight for civil rights and equal opportunity, as they were returning to their hotel from a mass meeting sponsored by the Southern Christian Leadership Conference.

Those taken into custody were Ralph D. Abernathy official of the Leadership conference and president of the Montgomery, Ala., Improvement association; Dr. C. O. Simpkins, president of the United Christian Movement, of Shreveport; John Brooks, national director of voter-registration for the NAACP and Guy Carawan, folk singer of the interracial Highlander Folk School, Monteagle, Tenn.

Take Abernathy Documents

Confidential documents were removed from Abernathy's luggage while they were detained at police headquarters. Local residents attending the three-day meeting of the Leadership conference said confiscation of Abernathy's records and the arrest of the four men, were without 'due process of law,' and a spirited court trial is anticipated when the case comes up before a local tribunal.

Dr. Martin Luther King Jr., and the national staff of the Southern Christian Leadership Conference moved into this city from Atlanta for a three-day annual conference starting October 11. The executive board and officers who are leaders from 13 southern states assembled and swiftly approved a national program of massive nonviolent direct action stepping up the speed of the attack on segregation in transportation, waiting rooms, schools, voter-registration stand-ins and a south-wide economic boycott.

Dr. Gardner Taylor Keynoter

Dr. Gardner C. Taylor, disputed president of the National Baptist Convention, delivered the keynote address at a mass meeting during which he said, "In this age of international suicide by push-button atomic missles, the time for complete freedom for the Negro is now! Martin Luther King Jr., who was speaker for the mass rally of the second meeting said in a statement to the press, "The presence of this annual conference here in Shreveport, and the tremendous support of the Negro citizens amidst most severe segregation is symbolic of their determination to move on to the better way of life that offers human dignity for all. Destiny has placed on the shoulders of the Negro American the task of making democracy a living reality."

James "Jim" Lawson, expelled from Vanderbilt university for participation in student demonstrations which caused sympathy resignations of faculty members, said in addressing the plenary session Oct. 12, "Laws are not made in the courthouse alone but they are made under the pressure of the moral demand of the people. If we are really trying to change the law, then make certain that the people are demonstrating in such a fashion that it becomes impossible for society to keep an unjust law."

38a 1960

ALABAMA

REV. RALPH D. ABERNATHY

Threat Of Integration Raised After Dismissal

Montgomery Advertiser

Montgomery, Ala.

Thur. 8/18/60

A threat to begin integration moves against the all white colleges and universities in Alabama was made by a Montgomery Negro leader Wednesday, in telegrams to the governor and the state superintendent of education, protesting the dismissal of a professor from Alabama State College.

In the telegrams the Rev. Ralph D. Abernathy, leader of the intergrationist Montgomery Improvement Assn., demanded that Gov. John Patterson withdraw his charges that Dr. Lawrence D. Reddick, ousted as head of the college's history department, was an agitator and a Communist sympathizer.

STATEMENT ISSUED

Abernathy's telegrams said: "If you are bent upon destroying Alabama State College and driving our best teachers away, then you force us to with draw our sons and daughters from it and send them to other institutions of our state that are supported by our tax dollars."

Commenting on the telegram the governor said: "If Abernathy is against us, we must be right."

Reddick, whose dismissal the governor ordered Tuesday, despite the fact that he had already resigned as of Aug 31, also issued a statement.

He said: "Gov. Patterson knows that I have never been a Communist. He knows, too, that I am not an agitator, but from time to time do make serious studies of current and historical questions."

Montgomery Advertiser

Reddick said that he spoke from the same platform as Russia's delegate to the U.N. at a rally in New York in 1946, "makes me no more a Communist than Gov. Patterson's conference with presidential candidate John Kennedy makes the governor an integrationist."

He emphasized that he had already resigned, effective at the close of the summer session. He said that while no pressure had been brought upon him to resign, he felt that he "couldn't continue to operate very successfully" in the racially-tense atmosphere of Alabama State College, where students demonstrated against segregation in February and March.

Reddick said his work frequently brings him into conference with white historians and educators, and he felt that in the present climate, these people "might be molested or even arrested."

He said he is presently considering three teaching offers — one in Nigeria, one in Laos, and one in another state which he did not name.

Cite Salisbury articles

City, Bessemer threaten to sue Times for libel

The cities of Birmingham and Bessemer today took action against The New York Times in the publishing of articles criticizing race relations in this area.

Birmingham commissioners dispatched a formal demand for retraction and an apology, and instructed attorneys to prepare suit in case the demand isn't met.

Bessemer commissioners instructed an attorney to file a libel suit against the newspaper. Mayor Jess Lanier said the suit will be filed by himself and the other two commissioners as individuals.

THE LEGAL ACTION here follows suits totaling $1.5 million filed by members of the Montgomery City Commission against The Times and four Negro integration leaders.

Birmingham officials have charged that two articles by Harrison Salisbury of The Times gave a distorted picture of white-Negro relations, and contained false statements about treatment of Negroes.

Contents of the written demand for the retraction and apology sent by Birmingham commissioners were not revealed pending an answer from The Times.

Bessemer Mayor Lanier and Commissioners Herman Thompson and Raymond Parsons have asked City Atty. J. Howard McEniry to handle their suit. He will file the suit as a private attorney.

LANIER SAID: "The article has put us in a bad light throughout the country. It leads people to believe that the public officials here have no regard for the law. That is untrue."

The amount of the suit has not been determined.

Meanwhile, Atty. Gen. MacDonald Gallion said he is investigating to see what action the state might take because of the "false charges" which he said The Times carried against the state.

Target of the Montgomery state court case was an advertisement seeking funds to help the Rev. Martin Luther King Jr., defend himself against a charge of falsifying state income tax returns.

Montgomery Mayor Earl D. James and commissioners each filed a $500,000 suit in state court yesterday against The Times and these four Negro clergymen:

The Rev. F. L. Shuttlesworth of Birmingham, the Rev. J. E. Lowery of Mobile and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr., both of Montgomery.

The mayor and commissioners charged that the advertisement's version of incidents surrounding recent demonstrations by Montgomery Negro college students subjected them to ridicule and embarrassment.

They contended that the ad contained untrue material which reflected on them personally and on performance of their duties, and that The Times refused their demands to print a retraction.

38a 1960

REP. DIGGS ASKS MONTGOMERY PROBE, TERROR CHARGED

WASHINGTON — Congressman Charles C. Diggs, Jr. (D-Michigan) has wired United States Attorney General Rogers asking for an immediate investigation of reported police-state methods and abuse used against Negro citizens in Montgomery, Alabama.

Diggs asked the Attorney General to determine whether the civil rights of Negro citizens in that community are being violated in the context of present Federal statutes. Charging that local law enforcement agencies are helping to create an atmosphere of tyranny and terror, the Congressman said the objective seems to be to prevent peaceful assembly of Negro students and other people interested in non-violent protest demonstrations against the denial of civil rights.

The full text of Congressman Diggs' telegram read:

"Honorable William P. Rogers
Attorney General of the United States
Department of Justice
Washington 25, D. C.

Extremely urgent that you initiate an immediate investigation in Montgomery, Alabama to determine if the civil rights of the Negro citizens of that community are being violated in the context of Federal statutes. Local lay enforcement agencies are helping to create an atmosphere of tyranny and terror through police-state methods. The objective of these agencies seem to be to prevent peaceful assembly of Negro students and other people interested in non-vioelnt protest demonstrations against the denial of civil rights. Students are being cursed, harassed beaten and arrested either on trumped up charges or charges representing a distorted interpretation of disorderly conduct and disobeying a police officer. Parents who have made inquiries about arrested students have been subjected to all manner of abuse. Newspaper reporters interested in getting the facts for objective reporting have also been subjected to varying degrees of maltreatment. The situation is deteriorating rapidly and has the potential for bloodshed despite the nonviolent approach on the part of Negroes.

I am at present investigating reports that Mongomery has been classified as off limits to Negro airmen by the Commanding Officer of nearby Maxwell Army Air Base.

I cannot urge you too strongly to move with dispatch to prevent any further abuse or violence being done.

CHARLES C. DIGGS, JR.
Member of Congress

Negro Leader Urges U.S. Interference

WASHINGTON (AP) — Rep. Charles C. Diggs Jr. D-Mich has called on Atty. Gen. William Rogers to investigate immediately whether the civil rights of Montgomery, Ala., Negro citizens are being violated.

"Local law enforcement agencies are helping to create an atmosphere of tyranny and terror through police-state methods," the Negro congressman said.

"The objective of these agencies seems to be to prevent peaceful assembly of Negro students and other people interested in nonviolent protest demonstrations against the denial of civil rights."

Diggs said he is investigating reports that Montgomery has been classified as off limits to Negro airmen by the commanding officer of nearby Maxwell Air Force Base.

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, said in a telegram to President Eisenhower that Montgomery Negroes "are suffering arbitrary deprivation of their rights in a climate of terror."

"Freedom of speech and assembly and of peaceful redress of grievances all have been ruthlessly suppressed by Alabama authorities from Gov. John Patterson on down to local constables," Wilkins said.

ALABAMA

REP. CHARLES C. DIGGS, JR.

N.Y. Times Libels Birmingham, Ala., In Picturing City Of Race Terror

The News and Courier
Charleston, S. C.

In two articles on Birmingham, Ala., The New York Times has plumbed new depths of reportorial unfairness. The articles, written by Pulitzer Prize winning reporter Harrison E. Salisbury, represent a shocking departure from journalistic objectivity.

Sat. 4-16-60

Citizens of Birmingham, we are told, are aroused and indignant at the defamation of their city. Well might they be, for the articles present the big Alabama steel city as worse than any of the Soviet cities Mr. Salisbury wrote about when he was Moscow correspondent for The Times.

P. 6-A

According to Mr. Salisbury, Birmingham is a city where "every reasoned approach" to the race problem "has been fragmented by the emotional dynamite of racism, reinforced by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus." He said that "the eavesdropper, the informer, the spy have become a fact of life." Birmingham police are represented as a terrorist group ruled by race hatred. The Ku Klux Klan is depicted as riding high, so much so that suburbanites know which of their neighbors belong to the KKK.

In short, Mr. Salisbury's articles present Birmingham as a hideous community of lawlessness, terror, and injustice. He found somebody who called it the Johannesburg of the United States and gleefully passed on the phrase.

John Temple Graves, distinguished Southern newspaper writer who lives in Birmingham, informs us that the Salisbury articles are completely without foundation. Birmingham's police chief, he said, is tough in his handling of all groups fomenting riots, "but he is determined to be as fair as he is tough."

Mr. Graves also pointed out that the Salisbury articles failed to mention that five Klan members, who attacked and mutilated a Negro last year, were convicted in a Birmingham court and sentenced to 20-year jail sentences.

"Not even Atlanta," he said, "with all its talk of liberalism, has been as summary in its punishment of lawbreakers."

Terming the Salisbury articles "an arrant lie," Mr. Graves said that The New York Times reporter, to the best of his knowledge, did not talk with prominent white leaders. The Birmingham Post-Herald disclosed in an editorial Thursday that Mr. Salisbury had not discussed racial conditions in Birmingham with newspapermen in that city.

Granting his skill in the use of words, we find Mr. Salisbury's approach to race relations in the South more like the propagandist's than the objective reporter's. If The Times is intent on stirring revolution in the South, as it did with its promotional articles on Fidel Castro in Cuba, it is going about its business with determination and skill.

Such distorted pictures of the South do the American Republic no good in the eyes of the world. They may bring suffering to peaceful citizens of both races in the South.

CRITICAL OF BIRMINGHAM

The Montgomery Advertiser

Commissioners To File Damage Suits Against New York Times For Articles

Montgomery, Ala.

4-16-60

BIRMINGHAM (AP) — Birmingham's three city commissioners said Friday they will file suits against the New York Times for articles critical of the city.

P. 1

Birmingham Police Commissioner Eugene Connor labeled the articles which appeared in the April 8-9 editions of the Times as "cheap attempts to smear our city and state."

The articles depicted Birmingham as a city filled with "emotional dynamite of racism."

The two-part story, under the byline of Harrison E. Salisbury, portrayed Birmingham as a city where telephones are tapped, mail is intercepted and opened, and where "the eavesdropper, the informer, the spy have become a fact of life."

Mayor James W. Morgan said "We have employed the law firm of Lange, Simpson, Robinson and Somerville to represent us as individuals in a damage suit against the New York Times."

Morgan said "The cost will be borne by us as individuals."

The other city commissioner is Street Commissioner J. T. Waggoner.

The commissioners said they have been advised that they possibly may recover punitive damages because they are elected to uphold Birmingham laws which the articles intimated had not been enforced.

"We think the stories were so unfair and untrue in so many respects that they were a reflection against people of Birmingham, both white and black," Morgan said.

"I'm sure they are resented by both races," he added.

Morgan said no figure has been set as to damages to be sought, but it was agreed that if the case is lost, the three commissioners will pay court costs.

It was agreed that the suit would be filed in state court in Alabama on the basis that the newspaperman who wrote the articles questioned visited Birmingham.

The attorneys said the first steps in the suit will be to demand apologies and retractions regarding the statements they claim are untrue, and then further action will be taken.

Connor said "it appears that the mighty Times is stooping again to gain circulation among those who seek sensationalism at our expense and believe what they want to believe."

Both the morning Birmingham Post-Herald and the evening Birmingham News published the Salisbury stories in full. The News published them on the front page.

The Post-Herald said editorially:

"If the New York Times were out deliberately to promote race friction and to brain-wash its readers into the belief that hate and fear and lawlessness are rampant in the South it could not have done better than print the story."

The News said the Times stories set "a new standard for the anti-South propagandists."

Times man has no comment on articles

The Birmingham News
Birmingham, Ala.
Sat. 4-16-60

James (Scotty) Reston, Washington bureau chief for The New York Times, arrived in Birmingham this morning for a lecture date at Birmingham-Southern College with a "No comment reply to questions concerning two recent articles on Birmingham and Alabama by Times Reporter Harrison Salisbury.



JAMES RESTON
. . . Declines comment

Sat. 4-16-60

"I am not in a position to comment on the articles," Reston explained. "I know nothing about the conditions under which the articles were published. I could not act as a spokesman for The Times."

P. 1

Reston, regarded by the newspaper profession as one of the nation's outstanding reporters, and by many as the premier American newspaper reporter at this time, speaks at 8:30 tonight in Munger Hall under the auspices of the Birmingham-Southern College and the AAUW.

The Birmingham News
Birmingham, Ala.
Sun. 4-17-60

HE IS SCHEDULED to discuss candidates and issues of the 1960 elections.

Reston is accompanied by his son, Jimmy, a student at North Carolina University.

P. 3

The Times published last week two Birmingham-dateline articles by Salisbury highly critical of Birmingham and the state of Alabama. Emphasis in the articles was on race relations.

Publication of the articles has resulted in announced plans by members of the Birmingham City Commission to sue The Times for libel unless the New York newspaper retracts Salisbury's conclusions or apologizes.

School segregation up—

Papers ignore N.Y. failure

BY JAMES FREE
News Washington correspondent

WASHINGTON, April 19—New York newspapers—ever willing to expose racial discord in the South—so far have ignored a U.S. Civil Rights Commission report issued 10 days ago that was severely critical of New York City's continued failure to integrate its public schools.

The 13-page report of the New York advisory committee was part of a larger, national report by the commission released on April 8. In fact, a number of New York editors and newspaper offices received advance copies of the report. But through yesterday, not a single newspaper in New York had printed any kind of news story or editorial comment about the N. Y. state committee report.

This reporter passed up writing about the big report, because neither Alabama nor Mississippi was among the 48 states havong special reports in the volume. He took another look at the New York report because:

1. In the past week, The N. Y. Times has carried two special stories about race tension in Birmingham.

2. It seemed appropriate to see whether New York City newspapers had passed up any news of note in the New York state advisory committee report.

THIS COMMITTEE, made up of widely known New York educators, churchmen, attorneys and business men, noted that segregation was "increased" in New York City and in Brooklyn public schools since 1954.

In 1954 (the year of the U. S. Supreme Court school desegregation decision), the committee said, there were 42 "de facto" segregated elementary schools and nine such junior high schools in New York City. "De facto" means they were segregated, though not recognized as such.

"Today," the report continued, "there are 72 elementary schools and 12 junior high schools classified as de facto segregated schools with a greater than 90 per cent Negro and Puerto Rican population.

"In Brooklyn in 1954, there were only nine segregated elementary schools—today there are 25. There was but one segregated junior high school—today there are four.

"THESE NEW SEGREGATED institutions reflect not only population growth in the segregated residential areas, but school zoning and both school and housing building programs which, in many instances, tend to perpetuate and extend this unfavorable pattern."

And the report puts the blame mainly on the city board of education. There is also a section on continued reluctance of "many segments of the housing industry . . . to abandon existing patterns of discriminat i o n a g a i n s t minorities."

But this is enough to give an idea of what New York City editors have been passing up to give their readers accounts of the sit-in demonstrations and other anti-segregation news from the South.

Times asked to do fairer racial series

WASHINGTON, D. C., April 19—An Alabama congressman has asked The New York Times to allow one of its reporters already in Birmingham to remain there to study racial conditions.

U. S. Rep. George Huddleston Jr. in a telegram to The Times, referred to a lecture scheduled in Birmingham tonight by James Reston, head of The Times Washington Bureau.

". . . Would you, in the interest of fairness, ask Mr. Reston to remain in the state long enough to make a similar study on racial conditions there?," Huddleston stated in his telegram.

"I am certain he will have free access to all records and individuals.

"WE ARE TRYING to solve our racial difficulties as best we can and I am certain you must realize that inflammatory and unreliable news reports can only make conditions more awkward."

There apparently was no immediate reply from The Times. Reston's Washington office, however, said he is planning to return immediately after a lecture at Birmingham-Southern College.

Huddleston also introduced in The Congressional Record editorials from The Birmingham News and The Birmingham Post-Herald replying to The Times' two stories last week by Harrison Salisbury.

He labeled the articles "irresponsible journalism" and "one of the most vicious slanders of a community of decent people that has ever come to my attention."

3 IN BIRMINGHAM TO SUE THE TIMES

City Commissioners Base Libel Action on an Article Reporting Racial Hatred

BIRMINGHAM, Ala., April 15 (UPI)—The Birmingham City Commission voted today to institute a libel suit against The New York Times because of a Times article that said this city was gripped by racial hatred and fear.

Mayor James P. Morgan said the three commissioners would file the suit as individuals. A Birmingham law firm, Lange Simpson, Robinson & Somerville, has been retained to begin proceedings, he said. No other details were disclosed.

The libel suit by the commissioners arose from a dispatch with a Birmingham datline by Harrison E. Salisbury of The Times. It was published Tuesday under the headline "Fear and Hatred Grip Birmingham."

The Salisbury article was reprinted here by The Birmingham Post-Herald, a Scripps-Howard newspaper, under the headline "Text of N. Y. Times Race Hate Story."

"The story was so distorted and so untrue in so many respects it was just unfair to Birmingham," Mayor Morgan said. "It was distorted to the point there is nothing real about it at all. Our people are not living in fear and we have never known what a race riot is down here."

William L. Clark, of the law firm retained by the commissioners, said the libel suit would possibly be brought in a state court.

He said the first step would be a written demand to The Times for a retraction, which would "have some effect on punitive damages."

"Even so, we plan to file suit," Mr. Clark said.

Police Head Charges 'Smear'

BIRMINGHAM, Ala., April 15 (AP)—Police Commissioner Eugene Connor accused The Times today of "cheap attempts to smear our city and state."

Mr. Connor said in a statement:

"It appears that the mighty Times is stooping again to gain circulation among those who seek sensationalism at our expense and believe what they want to believe.

"The attack of reporter Salisbury's is nothing new to the South."

Another Slander

If The New York Times were out deliberately to promote race friction and to brain-wash its readers into the belief that hate and fear and lawlessness are rampant in the South it could not have done better than print the story which appeared on Page 1 of its Tuesday edition. It is not the first time this newspaper has printed a twisted picture of the South.

Written by Harrison Salisbury and under the heading "Fear and Hatred Grip Birmingham," Tuesday's story leaves the reader but one conclusion:

That mob rule has displaced law and order; that Negroes and white alike live in an atmosphere of fear and hate and that at any moment rioting might start and blood flowing in the streets.

We do not know with whom Mr. Salisbury talked but it is quite evident that among his contacts were those who gave him the story he came to find.

As a reporter he brings no credit to the profession. As a propagandist he is an expert.

The pity is that thousands who will read him have no way of knowing what great injustice he does to a community and a people who, despite problems, pressures and endless aggravations from the outside, have maintained and continue to maintain remarkably good relations between the races.

Fear and hatred do not grip Birmingham. Mob rule has not and we are determined will not take over. And if violence should erupt it will come only because those who profit from promoting racial strife light the fuse.

Morning Mail

Why The N.Y. Times Doesn't Need Comics

Now I know why the New York Times doesn't carry comic strips. Their hysterical diatribe about Birminham has the verity of Alley Oop, the objectivity of Bugs Bunny and the humor of Orphan Annie.

The New York Times must be trying to steal the circulation from Pravda.

FORD M. MacILVAIN
Box 66, Grove Hill

Who Will Protest?

Birmingham Post-Herald

There are many citizens in our community in a position to refute the charges brought against it in the articles which appeared this week in The New York Times under the by-line of Harrison Salisbury. Among them are many reputable Negro citizens who know that the picture painted by Mr. Salisbury is a distortion of the truth and a gross slander.

Birmingham, Ala.

Certainly many white citizens, outraged by The Times' irresponsibility, will write in protest to its publisher, Arthur Hayes Sulsberger. But is it too much to expect some of our responsible Negro leaders to do likewise?

Mr. Sulsberger and The Times will have done a great disservice to newspapers and newspaper people in general if the Salisbury slanders against Birmingham are left uncorrected.

Bak. 4-18-60

What Mr. Salisbury seems irked about is what the people of Alabama have done to meet the challenge hurled at them and the problems created by vote-hungry politicians and a Supreme Court which ignores both the Constitution and the law.

P. 26,

If the majority of the people of Alabama find it serves the public welfare to abolish certain counties and create new ones is that not the business of the people of Alabama?

If as a last resort against an integrated school system the people themselves decide to abolish the public schools and to establish a new system of education is that not the business of the people of Alabama?

The Supreme Court may in time rule otherwise. If it should and if the people of the United States show no more concern than they have over the tortured 1954 decision then we might as well forget about states' rights.

Mr. Salisbury is a very clever writer. He knew what he was looking for and he knows how to bend and to twist facts so as to leave the impression he wants to leave.

He cites John Crommelin to prove the prevalence of prejudice, bigotry and hate. He is careful to cover himself by pointing out that the Crommelin viewpoint is "deplored by many violent segregationists." But then he adds that its acceptance, however, is far wider than will be publicly admitted.

What Mr. Salisbury didn't tell his New York Times readers was that Crommelin in his race for governor in 1958, the last time he sought public support, polled 218 votes in Jefferson County and in the state as a whole less than 2300 votes out of a total of 618,000.

That in Mr. Salisbury's book we suppose is "wide acceptance" because it suits his purpose.

It is typical of his whole report.

Reluctantly, one begins to wonder whether it is typical of The Times.

The Birmingham News

Birmingham, Ala.

Mrn. 4-18-60

At Birmingham-Southern—

Newsmen to fete N. Y. Times reporter

Members of the Alabama Professional Chapter of Sigma Delta Chi, national journalism fraternity, and other local newsmen will be guests of Birmingham-Southern College tomorrow night for dinner with James Reston of The New York Times.

Reston, chief of the Washington bureau of The Times, will speak at 8:30 that evening in Munger Auditorium under auspices of the college and the AAUW.

Described as the most influential reporter in Washington, Reston will discuss candidates and issues of the 1960 elections and other national matters from the Wasihngton angle.

Tickets to the lecture will be on sale at the auditorium boxoffice.

AMONG newsmen planning to attend the Reston dinner are:

Leroy Simms, Fred Taylor, E. L. Holland Jr., John Bloomer, James Jacobson, Edward Badger and Starling Ennis, all of The Birmingham News.

Clark Stallworth, The Birmingham Post-Herald; Lowell S. Hamilton, Birmingham Chamber of Commerce; Clint Milstead, United States Steel Corp.; Ed Brown, University of Alabama News Bureau; Ben Davis, Tuscaloosa News; Al Fox, Gadsden Times; Oliver Roosevelt, Shades Valley Sun.

Members of the AAUW will hold a reception after the lecture in honor of Mr. Reston.

Politicos meet here—

The Birmingham News

Gallion warns of psychosis' in racial row

Birmingham, Ala.

Thurs, 4-14-60

BY DAVE LANGFORD, News staff writer

Birmingham business women and their guests heard a double-barreled broadside fired at Yankee integrationists.

A visiting attorney from up East triggered the first shot against what he termed the "Marxist thrust," and Alabama's attorney general ripped what he called "minority psychosis."

The two addressed the annual legislative banquet of the Business and Professional Women's Club last night, which capped a day of politicking at Tutwiler Hotel.

CARLETON PUTNAM of Washington, D. C., who attracted nationwide attention with a letter to President Eisenhower condemning the Supreme Court, told the gathering that the integration movement is only a part of a greater movement of "leftwing equalization."

"If you Southerners are successful in arresting integration," he said, "you will eventually be successful in arresting the Marxist thrust all over the nation."

Putnam declared, "You Southerners are afraid of hurting the feelings of the Negro, I think. But kindness, beyond a certain point ceases to be a virtue."

He emphasized that the South has a moral issue and that "you've got to take an aggressive stand."

Putnam was followed at the speakers stand by Atty. Gen. MacDonald Gallion, who warned that 1960 will be a time for decision.

"OUR NATION IS SUFFERING from a malady of minority psychosis, fostered by the NAACP, ADA, Paul Butler and other Northern liberals," he said.

"They have discovered the South is still the whipping boy."

"Under their whiplash," Gallion said, "we will feel heavy blows in the South during the weeks to come."

Gallion said he violently disagreed with senators who claim the South can be satisfied with the civil rights bill being enacted.

He labeled the bill "federal blackmail."

"We've reached a crossroads in history," Gallion said. "Now we've seen the return of force bills."

"Our only course is to fight back with sound, unemotional logic and unified voices."

BUT HE WARNED the fight must be conducted "within the framework of our laws."

"Above all, we must protect our individual rights and property rights," said Gallion.

"We must not tolerate any assault on these rights by sit-ins, walk-ins or any other such methods."

Turning to the upcoming Democratic convention, Gallion said he doesn't believe the presidential nomination is "in the bag for anybody."

"A united and organized South can strike a telling blow at the convention," he said.

"We must coordinate our efforts behind a program and an ideal."

"IF WE CAN manage a deadlocked convention, our voice will be heard."

"We stand perilously close to the brink of national suicide," Gallion said.

He asked how long it will be before Alabama is told to reserve 40 per cent of its legislative seats for Negroes, or Birmingham is told to give up one of its three city commission seats to Negroes.

Gallion was introduced by Douglas Arant as a "fearless and courageous" public servant.

Mrs. Dora Hooks, president of the B&W Club, was master of ceremonies at the banquet attended by about 200.

THE INVOCATION was given by Mrs. Nellie Mobley, first vice president.

Introducing the guests and candidates were Miss Marian Vaughan, legislative committee chairman, and Mrs. Helen Silver, co-chairman.

James E. Simpson, Birmingham attorney and candidate for an at-large place on Alabama's delegation to the Democratic National Convention, introduced Putnam.

During the day many candidates for state and local office held open house in hotel party rooms, all as part of "Candidates Day."

Among last night's guests was Mrs. Jim Folsom, wife of the former governor. She said her husband had a previous engagement at a political rally in Marion County.

PUTNAM GREETED newsmen at his hotel suite soon after his arrival.

Discussing his now-famous "Putnam Letters," one to the president in 1958 and another to the attorney general in 1959, he said the South must take an aggressive stand against the leftwing movement.

"Fight back and fight hard is the only way to curb it," he said.

"Kindness is a virtue only up to a certain point."

He said there is no such thing as equality.

Putnam is also the author of a four-volume biography on the life of Theodore Roosevelt.

He announced that his letters, plus answers to questions he has received, are now being published in book form to be used by other conservative leaders.

Gallion Holds Up N.Y. Times Action

Birmingham Post-Herald

Says School Board To Study Report

Birmingham, Ala.

MONTGOMERY, April 19 (UPI)—Atty. Gen. MacDonald Gallion refused to reveal today his report on whether to sue The New York Times for libel until he has discussed it with the "proper authorities."

Tues. 4-20-60

Gallion told newsmen his report was "a matter for the State Board of Education." He said he would not discuss his recommendations until after he had met with Gov. John Patterson and School Superintendent Frank R. Stewart.

The attorney general said his report was completed during the week-end but he would not release it "because of courtesies to the proper authorities."

Gallion was expected to huddle with Stewart late today or tomorrow. It is expected that the attorney general will recommend that the State Board of Education file a libel suit against The New York Times.

Gallion began investigating the possibilities of a libel suit shortly after the Times ran a full-page advertisement March 29 soliciting contributions to "the committee to defend Martin Luther King and the struggle for freedom in the South." The ad was signed by 60 prominent liberals, including Mrs. Eleanor Roosevelt.

Meanwhile, the Times reported today it had received only 28 letters from Alabama and two from former Alabamians about a story criticizing Birmingham.

The newspaper said of the letters received, 15 to 18 could be considered critical of Harrison Salisbury who wrote that Birmingham was gripped in racial hatred and fear.

The Times said the response was not considered heavy.

3Pa 1960

ALABAMA

DEC. 1960
HUNTINGDON COLLEGE REPRIMANDED
5 STUDENTS FOR ATTENDING
NEGRO INSTITUTE ON NON-VIOLENCE . . .

STUDENTS RESTRICTED

The Montgomery Advertiser
Montgomery, Ala.
Thurs. 12-15-60

Huntingdon Reprimands 5 For Attending Negro Parley

Five male students have been reprimanded by the administrative staff of Huntingdon College for attending a Negro Institute on Non-Violence and Social Change at a church here Saturday afternoon.

Charles C. Turner Jr., dean of students, said the five, Bob Zellner, Townsend Ellis and Joe Thomas, all of Mobile, and William Head, Union Springs, and Jon Hill, Auburn, were restricted to the campus after college officials learned of the incident through a phone call.

Turner said the students were restricted to the campus "for their protection and for the protection of the college."

Tuesday night the students were called before the full administrative staff of the college and given the choice of refraining from such activity or resigning. The youths agreed to the terms for staying in school, Turner said. Their restriction ended then.

The dean pointed out that the group did not violate any law.

Turner issued this statement:

"These students were motivated by a moral conviction which they held and which led them into activities which were in violation of administrative policies of Huntingdon College. They have been reminded of these policies and it is our hope that they can and will continue their education in a satisfactory manner.

"Huntingdon College is attempting to be true to its traditional position as an institution of higher learning. The administration does not feel that activities related to racial agitation are a valid part of its program."

Huntingdon is supported by the Methodist Church.

PRELIMINARIES ENDED

Dismissal Motion Denied, Stage Set For King Trial

By ARTHUR OSGOODE

Integration leader Martin Luther King is to stand trial next Wednesday on charges of making false statements on income tax returns.

A defense motion to throw out the case was denied Friday by Special Judge James J. Carter, who ruled that there is "no discrimination against, nor systematic exclusion" of Negroes from county jury rolls.

Carter found that Negroes are entered on the rolls, and "consistently called to serve" on Montgomery County juries.

Carter's action disposed of all pre-trial motions save that to desegregate the courtroom, which will be heard at the opening of the trial Wednesday.

King pleaded not guilty to the charges.

Defense attorney Hubert Delany, summing up defense testimony and arguments earlier attacked not only the jury system but the exclusion of Negroes as voters, charging that Negro rights are infringed by "harassment by the police" and other means.

Noting that no Negroes vote in some Alabama counties, Delany argued that:

"If they can be taxed, then they should have the same right to vote as every other citizen."

Because of this alleged exclusion of Negroes as voters, Delany held, laws cannot be passed that inflict penalties on a class that is denied the right to vote.

He also attacked the statute under which King was charged as ambiguous.

Representing the local jury commission, attorney Sam Rice Baker asked if any fairer system could be devised than that used to select jurors here.

He called the local juror selection system "the best in the whole world" after observing witnesses had testified to determined efforts by the jury commission to add qualified Negro jurors to the rolls.

He said the commission search for Negro jurors was not only "legal and adequate," but above and beyond the call of constitutional requirements." He further argued that in cases elsewhere The Supreme Court had found systematic exclusion of Negro jurors, no Negroes actually served on juries.

James Garrett, also representing the jury commission, noted that testimony showed that Negroes frequently serve on Circuit Court juries, and that the numerous exemptions from jury duty granted in Alabama sharply reduce the number of available jurors.

Solicitor William Thetford argued in defense of the method of choosing grand jurors in Montgomery County as dependent entirely on lot, with no way of determining whether the jurors drawn to serve would be Negro or white.

Baker and Garrett presented a series of local lawyers, each of whom testified that Negroes often served on juries before whom they had tried cases.

One, Lew Walden, said that seven Negroes served on a jury that sent a Negro defendant he represented to the electric chair.

Other lawyers presented by the jury commission were T. B. Hill, Roland Nachman, Fred Ball, Vaughan Hill Robison, Richard Emmet, Raymond Farnell, Truman Hobbs, James Cameron, Joe Pilcher, and Rufus King.

CLERIC EXEMPT

Delany, in arguing for the motion to quash the indictment against King, maintained that the status under which he is being tried "does not give the defendant opportunity to know he is committing a crime."

He also refered to laws under which a minister does not have to report certain sources of income, and held that in reporting gross income the taxpayer does not have to report gifts.

King is charged under two indictments which charge perjury in the filing of state tax returns.

Blames Washington

Inaction on Rights Upset Students, Dr. King Asserts

By Joel Seldin

Unwillingness of President Eisenhower and Congress to take a strong position in favor of full civil rights for Negroes brought about the Southern student campaign of non-violent protest, the Rev. Martin Luther King jr. declared yesterday.

At a luncheon meeting of New York labor leaders, called to raise funds and other support for the student movement and the defense of Dr. King against perjury charges in Alabama, the Negro leader called the lack of a "strong, forthright" statement by the "Executive Branch" in defense of desergregation "shameful." He did not mention President Eisenhower by name.

Calls Bill Spineless

Dr. King also called the civil rights bill passed recently by Congress "spineless and almost worthless." Even the voting provisions, he said, are so complex and bogged down by red tape that an effort to utilize them will be "endless."

The combination of executive and legislative inaction, Dr. King said, generated the student movement. The movement is significant, he told the union leaders, because it demonstrates that Negroes are not satisfied with a segregated status, and that they have "a sense of dignity and destiny." The students are demanding, he said, "not only lunch, but respect."

Plans are now being drafted, Dr. King said, for extending the technique of non-violent action this fall to the problem of registration for voting. He said he expected only minimal help from the civil rights law, and that the planned campaign will be important not only in accomplishing some registrations, but because it will generate interest among southern Negroes in voting.

The luncheon, at the Trade Show Building, 500 Eighth Ave., was attended by 100 officials of local unions. A collection raised $1,000 immediately, but many of those present said they would have to check with their locals to see what their contributions will be. Dr. King, who has been touring the country on a lecture and fund-raising tour, said the non-violet campaign has received support from labor almost from the time it began.

Asked if a lack of funds has been hampering the campaign, he said it certainly could do a better job." There is no substitute, he said, for door-to-door campaigning, and that this requires organization by a paid staff. He noted, also, that a considerable portion of contributed funds has been going for legal and court expenses as local and state authoritives attempt to counter the movement.

Plea Denied, King Facing Trial Here

Legislative Actions Applying To Negroes Challenged By Lawyer

By ARTHUR OSGOODE

Statutes passed by Alabama Legislatures were brought under fire by attorneys for integration leader Martin Luther King here Thurday.

Defense attorney Fred Gray announced that the purpose of questioning a member of the county Board of Registrars was to show systematic exclusion of Negroes as voters in Alabama. Since Negroes are excluded as voters, Gray contended, statutes passed by elected state legislatures are illegal insofar as they apply to Negroes.

Gray acknowledged the move to be "a novel form of law," but said the attorneys for King, who is to be tried here for false statements in state income tax returns, feel the argument is valid.

Special Judge James Carter had halted questioning of George W. Penton, county voter registrar, to ask the purpose of defense inquiry. He refused to allow a continuation of questioning along this line.

FAIR TRIAL HERE

Thursday saw one defense motion to shift the trial to another county, denied by Carter. Carter held that King can receive a fair trial in this county. Recess was called during testimony on another motion—to quash the indictment against King.

Still another motion, still to be heard, seeks desegregation of the courtroom.

The attack on Alabama statutes was the second time the King defense had brought in exclusion of Negroes from voting lists as possible grounds for appeal.

When Carter was appointed special judge by Circuit Clerk John Matthews, it was objected that Matthews had not been elected legally on the contention that Negroes were denied voting privileges here.

Carter was named special judge after Judge Eugene Carter (no relation) had recused himself because he was a member of the county jury commission, under attack in the motion to quash indictment.

JUDGES CALLED

Twenty-two witnesses, including Circuit Judges Eugene Carter and Walter B. Jones, Probate Judge John Sankey, Circuit Clerk Matthews, and Sheriff Mac Sim Butler, were called Thursday as the defense sought to show exclusion of Negroes from jury service in the county.

All are members of the jury commission. Each (one testified that Negroes do serve on juries here, and that a special effort is made to get qualified Negroes on the jury rolls.

Carter said that the former local [illegible] of the NAACP had been placed on the jury rolls here. He also said judges aren't removed from the rolls "unless they die or are taken out by some disability."

A few persons, both white and Negro, he added, had been removed because they said they would not convict a defendant on the testimony of a policeman. He said he had asked several Negroes of his acquaintance to furnish names of Negroes as potential jurors.

Jones said the records in the voter registrars' office was "the most likely source of names" of jurors.

MORE FOR JUROR

"Some people think we ought to dump the whole voting list in, but that wouldn't be right," said Jones. "It takes more sense to be a juror than it does to be a voter," he observed.

After members of the jury commission were called, the defense presented a series of Negro witnesses who said they had never served on a jury here or been approached as to jury service.

Attorney James Garrett, representing the jury commission asked each if he had ever sought to be placed on the jury rolls, or whether he had ever served or been asked to serve on federal juries. Each said that he had not.

Solicitor William Thetford and George Preiss Jr. were also called to the stand regarding proceedings of the grand jury that indicted King. Thetford refused to produce his working papers and other records bearing on the case "unless ordered by the judge."

He was sustained by Judge Carter.

Carter also barred defense attorneys from going into testimony presented before the grand jury regarding King. The defense then moved to excuse other grand jurors, who had been waiting to testify

Lloyd D. Hale, state tax agent who had prepared the audit leading to King's indictment, also testified. Both he and Thetford replied in answer to defense question that King's indictment was the first to their knowledge under the state statute under which he faces trial.

Negro Lawyers Call Solicitor As Witness In King's Trial

Negro defense attorneys called the prosecuting attorney as one of their witnesses Tuesday in an effort to free the Rev. Martin Luther King Jr. of the perjury charges against him.

But Fred Gray, one member of the defense team, declined to say just what questions King's lawyers want to ask Circuit Solicitor William F. Thetford.

They also subpoenaed two judges and other city and county officials for a pre-trial hearing starting Wednesday.

King is scheduled to fac trial next Tuesday on the first of two perjury indictments charging the famed Negro integration leader with making false state income tax returns for 1956 and 1958.

But he has to be arraigned first —to give him a chance to make a formal plea of innocence—and the four pre-trial motions filed by defense attorneys must be disposed of ahead of the arraignment.

Besides Thetford, the five Negro lawyers representing King subpoenaed Circuit Judges Eugene Carter and Walter B. Jones, Circuit Clerk John Mathews, Probate Judge John Sankey, Sheriff Mac Sim Butler, Montgomery Police Commissioner L. B. Sullivan and Editors Grover C. Hall Jr. of The Montgomery Advertiser and C. M. Stanley of the Alabama Journal.

In the preliminary motions, King's attorneys:

Asked for an integrated courtroom for the trial itself.

Challenged legality of the county's jury commission and charged systematic exclusion of Negroes from the jury list.

Asked for the trial to be moved to another city.

Demanded access to minutes of the grand jury session at which the Negro minister was indicted.

Forty-six other witnesses also were summoned by the defense, but Gray declined to say what connection they have with the pending motions.

Carter, who was scheduled to preside at King's trial, disqualified himself because he is a member of the jury commission whose functions have been questioned.

Jones, Mathews, Sankey and Butler also are members of the commission which puts names of prospective jurors into the jury box.

Sullivan has nothing to do with the selection of jurors. He presumably was subpoenaed in connection with the Negro minister's claim that he cannot get a fair trial because of racial tensions in Montgomery.

The indictments returned by a grand jury in state court three months ago, charge the leader of the famed Montgomery bus boycott with falsely reporting his 1956 income as $9,150 when it actually totaled $16,162 and his income in 1958 as $25,348 when he actually earned $45,421.

Even though King paid the tax before he was indicted, the state charges that he perjured himself in filing the returns.

STATE TAX RETURNS

King Goes On Trial Today To Face Charge Of Perjury

Martin Luther King, Baptist minister and Negro integration leader, goes on trial for perjury here Wednesday morning.

King, who led the Montgomery bus boycott, has been charged with falsely reporting his income on state income tax returns.

He may face trial before Negro jurors. There are three on the 33-man panel summoned in Circuit Court, one of them a former associate of King's in the Montgomery Improvement Assn.

MIA CHAIRMAN

Rufus Lewis, the Negro juror, still serves as chairman of the MIA voting and registration committee. King himself moved to Atlanta earlier this year, resigning the MIA presidency.

Whether King is tried before a desegregated courtroom rests on the decision of Special Judge James Carter.

King's attorneys have entered a motion to desegregate the courtroom, in which Negroes have customarily been seated on one side of the center aisle, and whites on the other.

Carter has indicated he will make a decision on this motion at the outset of the trial, but arguments may be made on the issue by attorneys on both sides.

Earlier, Carter ruled against King on motions entered by his attorneys that charged systematic exclusion of Negroes as local jurors and exclusion of Negroes as voters.

Defense attorneys maintained, on the votig issue, that Negro defendants could not be brought to trial under statutes passed by legislators that members of their race had no voice in electing.

King was indicted by a county grand jury on charges that he failed to report $27,000 in income received in 1956 and 1958.

King's lawyers have indicated that the defense may rest in part on laws relating to certain sources of funds that ministers are legally exempted from reporting.

NEGRO JURORS

Another possible defense may rest on the definition of gross income, and the alleged ambiguity of the Alabama statute under which King was charged.

Though three Negro jurors are on the panel, all may be stricken by attorneys before the trial begins. The defense may strike 14 of the jurors and the prosecution seven.

The question of whether jurors are excluded from county juries was debated at length in pre-trial arguments and testimony.

Carter ruled that Negroes do in fact serve on county juries and that the jury commission makes a vigorous effort to obtain Negro jurors.

Jury Says No

The Afro-American, Baltimore, Md. Sat 6/4/60

Dr. King didn't lie about taxes

By STEVE W. DUNCAN
AFRO Staff Correspondent

MONTGOMERY, Ala. — "We the jury find the defendant not guilty." A tense, sweltering courtroom heard an all-white jury speak these history-making words in acquitting the Rev. Martin Luther King Jr., of perjury Saturday.

Jurors in the court of Special Judge James Carter deliberated three hours and 45 minutes before freeing the world-famous integration leader of lying in filing his 1956 personal income tax for Alabama.

Dr. King still faces another perjury charge concerning his 1958 income. The effect his acquittal on the 1956 charge will have on the pending case is questionable.

Some observers expressed the hopeful opinion that the state would drop the case. Others felt that, having met defeat once, the state would try even harder the second time.

(See Other Story on Page 7)

The jury was composed largely of business men. The foreman, who announced the acquittal verdict, was Flettwood Rice, a local automobile dealer.

"I still can't believe it," repeated the Rev. Dr. King after the surprise jury action.

"This reaffirms my hope in the ultimate good of man," declared the young minister in an interview.

He commended the jury, Judge Carter and "this brilliant array of lawyers who represented me in this case."

The Rev. Dr. King noted that the jury verdict reaffirmed the belief that there are hundreds of thousands of white persons in the South who are men of goodwill.

* * *

JUDGE CARTER gave strong orders before the verdict that he would tolerate no demonstrations in the courtroom regardless of the outcome.

Frankly stunned spectators filed quietly out of the courtroom.

The Rev. Martin Luther King Sr., father of the defendant, wept openly after the surprise verdict, as did his daughter-in-law, Mrs. Coretta King, and his daughter, Miss Christine King.

Prayer services were held at Dexter Avenue Baptist Church, where until recently the Rev. Dr. King was pastor.

The Rev. Ralph D. Abernathy, pastor of First Baptist Church, conducted the services. He has been active with the Rev. Dr. King in the bus boycott here and the Southern Christian Leadership Conference.

"We felt we ought to come regardless of the verdict," the Rev. Mr. Abernathy told the audience.

"We felt a need to come. This is a Christian movement and we have a need for prayer."

* * *

BY ITS VERDICT, the jury of small businessmen disregarded the final argument of Solicitor William Thetford, who charged the minister was a liar.

Attorneys William Robert Ming of Chicago and Hubert Delaney thanked Judge Carter for his conducting of the trial.

Former AFRO newsman Samuel F. Yette was forcibly ejected from the courtroom on orders of Judge Carter when he took a seat in a section reserved for whites.

"I had a legal right to sit there," said Mr. Yette, director of information at Tuskegee Institute. He was present to gather special information for a feature story.

When Mr. Yette took a seat in a row occupied by whites, Judge Carter said the bailiff was in charge of seating in the courtroom. The jurist ordered the newsman to take another seat.

"Do you refuse to comply with my order?" inquired Judge Carter.

"I'm not sure I understand," replied Mr. Yette.

At this point the jurist ordered him out of the court.

IN HIS FINAL argument before the jury, former Judge Delaney stated that "Your verdict, no matter what it is, is going to be heard around the world."

Following the trial, the Rev. Dr. King left for Atlanta, where he was scheduled to deliver the morning sermon at Ebenezer Baptist Church. He is co-pastor with his father of the church.

3 Alabamians At Racial Meet

Two Alabama Negro integrationist leaders and a Tuskegee professor are participating in a three-day workshop this week on "The Place of the White Southerner In The Current Struggle For Justice," at the Highlander Folk School, Monteagle, Tenn.

In the discussions are the Rev. Solomon Seay, executive secretary of the Montgomery Improvement Assn.; the Rev. Fred Shuttlesworth, president of the Alabama Christian Movement for Human Rights, Birmingham; and Dr. Lewis Jones, director of social science research at Tuskegee Institute.

The program does not name the student sit-in representatives taking part in the discussions.

He Attacks Absence Of Negroes On State's Jury

MONTGOMERY, Ala. (ANP) — Dr Martin Luther King went on trial here over the protests of his battery of lawyers about a number of conditions surrounding the indictments and the circumstance of the trial itself.

Special Judge James J. Carter ruled last week against a defense request for a change of venue, declaring King's attorneys had failed to prove he would not get a fair trial here.

The effect of his written decision was to order King to face trial Wednesday on two perjury indictments charging him with filing false state income tax returns.

Segregated Court Room

Still undecided is a motion by King's lawyers to desegregate the courtroom for the trial. The judge said he will rule on that when the trial gets underway.

The minister went to trial on only one of the perjury charges. The other will be put off until afterward.

With the disposition of the pre-trial motions, the minister formerly entered a plea of innocent to the charges.

Negroes Excluded from Jury

Speaking of the defense complaining that Negroes are systematically excluded from juries in Montgomery, the judge said there was no acceptable evidence of discrimination because of race or color.

King is charged with perjuring himself in filing his state income tax returns for 1956 and 1958. The state contends he earned some $27,000 more than he reported.

King paid the disputed tax before the indictments were returned last February, but the prosecution contends he had already lied about his tax returns and payments of the money made no difference.

As he had previously, Hubert Delany of New York, one of King's lawyers, served notice that if the integration leader is convicted of filing false income tax returns at his trial, the question of Negro voting will be used as one basis of appeal.

Trial Of King Starts Today

Faces Tax Count With 5-Year Penalty

MONTGOMERY, May 24 (AP) — The Rev. Martin Luther King Jr. faces trial here tomorrow on a charge of falsifing his state income tax returns.

King, a Negro minister known throughout the world for his fight against segregation, is under two indictments charging him with perjury and each carrying a maximum penalty of five years in prison.

But state's attorneys said he will be tried tomorrow only on one count.

He is accused of reporting some $27,000 less income than the state contends he actually received in 1956 and 1958.

He pleaded not guilty last Friday at the conclusion of three days of pre-trial arguments and testimony in which defense attorneys charged racial discrimination in the jury system in Montgomery, and even brought up the issue of Negro voting.

Their complaint of systematic exclusion of Negroes from jury panel has included some Negroes. Three Negroes are on the list recall has included some Negroes.

Rufus A. Lewis, chairman of the Voting and Registration Committee of the Montgomery Improvement Assn., of which King was elected by Special J. Carter after of 33 prospective jurors summoned president before he moved to At-

anta three months ago.

Judge Demands King Face Trial

Motion To Quash Income Tax Perjury Charge Is Rejected

By United Press International

MONTGOMERY, Ala., May 20.—Special Circuit Judge James J. Carter denied a motion Friday to quash state income tax perjury charges against Martin Luther King Jr. and the Negro leader was arraigned to stand trial Tuesday.

Defense counsel immediately objected to Judge Carter's ruling and again challenged the jurist's right to preside over the pre-trial arguments and the trial itself.

Judge Carter also instructed King's five attorneys to withhold their motion to desegregate the courtroom until Tuesday when the case is scheduled for trial.

Ends Maneuvering

Judge Carter's decision to throw out the motion to quash ended five days of legal maneuvering by King's attorneys to kill the two indictments against the young Baptist minister. The February session of the Montgomery County Grand Jury indicted King for perjury on grounds he filed false income tax statements in 1956 and 1958, claiming he earned $27,000 less than the amount alleged by the state Revenue Department.

Defense attorney Hubert Delaney, a former Negro judge in New York, argued the charges against King should be dropped because Negroes are systematically denied the right to vote and to serve on juries in this Deep South state. He contended the Legislature could not pass a law which would inflict punishment on a minority group which is continually kept from voting.

Harassment Claimed

He said constant harassment of Negroes by police and the systematic exclusion of Negroes from the polls and the juries" in Alabama was a violation of due process of law and the Bill of Rights as expressed in the United States Constitution.

Solicitor William F. Thetford said he was "fascinated by Delaney's argument all laws of the Legislature were invalid because Negroes were allegedly denied the right to vote.

Asst. Solicitor Sam Baker heatedly argued that Negroes were routinely, systematically and frequently used on juries in the Montgomery Circuit Court.

The five-man Jury Commission makes a conscientious and legally adequate effort to secure qualified Negroes for jury duty, Baker said. Testimony from a cross-section of practicing attorneys in this court, in both civil and criminal cases, shows that Negroes have served on both grand juries and petit juries for the past 10 years.

Judges Defend Jurors Picking

Insist There Is No Racial Discrimination By Alabama Officials

By United Press International

MONTGOMERY, Ala., May 19.—Two of Alabama's most respected Circuit judges testified Thursday there was no racial discrimination in selection of jurors in this Deep South capital.

The statements were made during arguments by defense counsel for Negro leader Martin Luther King Jr. indicted for perjury in connection with filing his state income tax for the years 1956 and 1958.

The Baptist minister's attorneys have asked special Circuit Judge James J. Carter to quash the indictments on grounds the five-member Jury Commission functions illegally and systematically excludes Negroes from the jury box.

Hearing Recessed

Carter recessed the hearing until 9 a.m. Friday after King's attorneys finished presenting their evidence. Solicitor William F. Thetford said rebuttal evidence would be presented when the hearing opens Friday.

Prior to adjourning for the night, Carter dismissed a defense argument that since Negroes are systematically denied the right to vote and since they had no voice in naming the state Legislature which passed the statute under which King was indicted, the statute was unconstitutional.

Carter dismissed another motion asking for a change of venue on grounds the Negro integrationist could not get a fair and impartial trial in Montgomery because he led the bus boycott here five years ago.

Circuit Judge Walter B. Jones, son of a former governor and one of the state's most prominent jurists, testified "I would not be a part to any scheme which would systematically exclude Negroes from the jury list."

Special Efforts Made

Jones explained the Jury Commission, of which he is a member, made special efforts to secure qualified Negroes for jury duty.

Circuit Judge Eugene Carter, who recused himself for presiding over the King trial because he is a member of the Jury Commission, said there was no discrimination of Negroes in making up the venire list.

GREENSBORO, N. C., May 18.—(UPI)—Seven Negroes filed sworn complaints Wednesday with the North Carolina Civil Rights Advisory Committee charging Bertie County registrars denied them the right to register because of race.

The voting complaints were the second batch to be received by the state advisory group this year. Last week nine Negroes filed complaints charging Franklin County Registrar Owen Wilder denied them the right to register solely because of their race.

Jury List Attack Resumed—

King Defense Fails Again To Bar Judge

Bham Post-Herald

Bham, Ala.

Fri 5-20-60

BY REX THOMAS

MONTGOMERY, May 19 (AP)—Defense attorneys made a second unsuccessful attempt today to disqualify a special judge from presiding over the perjury trial of the Rev. Martin Luther King Jr.

Then, moving back to another courtroom where they had started, they resumed their attack on the jury list after failing to convince the special judge that people in Montgomery are too prejudiced to give King a fair trial.

They had interrupted the question of the jury list earlier in the day to move across the hall and ask the presiding judge of the judicial circuit, Walter B. Jones, to prohibit Special Judge James J. Carter from proceeding with the perjury case against the Negro integration leader.

Jones turned down their request this afternoon, ruling that he had no jurisdiction to stop another judge from hearing the trial.

Removal Right Challenged

Carter, who had refused yesterday to step down, challenged Jones' right to remove him on the grounds that, as special judge, he has the same authority that the presiding judge has.

At the outset of the second day of the pre-trial hearing, Carter overruled defense claims that public prejudice would deprive King of a fair and impartial trial on the perjury charges growing out of the filing of state income tax returns.

On the contrary, the special judge said he was convinced by the evidence presented yesterday that "the defendant can get a fair trial in this county." He rejected a defense motion to transfer the trial to another city."

Still hammering at the theme of racial discrimination, defense attorneys turned then to another preliminary motion which charged systematic exclusion of Negroes from jury rolls in Montgomery County.

Discrimination Denied

All five members of the jury commission which selects prospective jurors — Circuit Judge Jones and Eugene Carter, Circuit Clerk John R. Matthews, Probate Judge John Sankey and Sheriff Mac Butler — all denied emphatically that any discrimination exists.

They said Negroes regularly serve on juries in Montgomery County, and Eugene Carter, the regular judge of criminal court, recalled one occasion when seven Negroes sat on a 12-man jury in his courtroom.

The regular judge, who was to have presided over King's trial, disqualified himself after the jury commission was challenged.

All five commission members testified they make every effort to get what they called "qualified" jurors, both white and Negro. They said a jury panel is seldom drawn without Negroes on it.

Negroes On Panel

Matthews said no Negroes served on the grand jury which indicted the Negro integration leader in February of this year but that there were Negroes on the panel from which the 18 grand jurors were drawn by lot.

And, he added, three Negroes served on the grand jury which met earlier this month.

Under questioning by Negro Atty. Arthur Shores of Birmingham, the clerk recalled that the lawyer's father "served on many juries" in Montgomery.

Shores and other Negro attorneys contended nevertheless that the number of Negroes in the jury box is proportionately too small.

They drew from Matthews an estimate that there are approximately 4500 names on the jury list now and that something like 450 to 500 of them, "maybe more," are Negroes.

The county is about 40 per cent Negro.

Jury commission members said they have difficulty finding "qualified" Negro jurors, for several reasons. For one thing, they explained, many of the more educated Negroes with "character and good judgment" required for jury duty, have moved elsewhere.

King is charged in the pending indictments with falsely swearing that he earned some $27,000 less in 1956 and 1958 than the state says he made. He paid the disputed tax before the indictments were returned.

Rev. King Faces Trial Wednesday

appeal

Segregation Unsettled Until Until Last Minute

P 19

MONTGOMERY, Ala., May 2— (AP) — Rev. Martin Luther King Jr., Negro integration leader, is to go on trial here Wednesday on the first of two perjury charges but it won't be learned until the last minute whether the courtroom will be segregated as usual.

Defense attorneys have asked that the traditional Southern seating custom be dispensed with but Special Judge James J. Carter said he won't decide until the trial starts.

Oll other pre-trial issues have been settled.

Rev. King pleaded innocent to the indictments charging him with filing false state income tax returns.

A defense motion to throw out the indictments, based primarily on the contention that Negroes are systematically excluded from juries in Montgomery, was overruled.

Dr. King Tax Case Goes to Jury; Defense Accuses State of Fraud

The New York Times

New York

MONTGOMERY, Ala., May 28 (UPI)—The tax-perjury trial of Dr. Martin Luther King Jr. went to an oll-white jury today. If convicted, the Negro integration leader could be sent to prison for five years.

"Your decision will be heard around the world," a defense attorney, Hubert T. Delany of New York, told the jury in a closing statement. The jury began its deliberation shortly before noon.

Jan 5-29-60

Dr. King, a Baptist minister, led the successful bus boycott in Montgomery protesting segregation four years ago. He was the first man ever indicted under an Alabama felony statute on charges of falsely swearing to information contained in state tax returns.

The defense contended that the state's audit of Dr. King's 1956 personal income tax return had been faulty. William R. Ming of Chicago, defense attorney and an expert in tax cases, asserted in his closing argument that the state had resorted to "fraudulent techniques, in other words, a mathematical trick" in an audit of the return.

Mr. Ming said the state had "said the taxpayer's gross income is the total off all the deposits he made in various banks in the year 1956."

Dr. King testified in his own defense that many of the bank deposits had been reimbursements for expenses for speaking engagements and other items, such as transfers of funds, loan repayments and the like that were not taxable and did not represent additional income.

"The prosecution has carefully concealed the fact," Mr. King said. "The statute says the taxpayer must report his gross income, not the amount of money deposited in the bank. The state has completely ignored this hole in their case and by fraudulent techniques, in other words a mathematical trick, they said the taxpayer's gross income is the total of all the deposits he made in various banks in the year 1956."

"If you men in the jury go home and add up your bank deposits and want the state to consider that your total income which is taxable, then you will convict the defendant," Mr. King concluded.

Assistant Solicitor Robert B. Stewart charged that Dr. King was guilty "of just plain lying. He made gross misstatements of fact when he said his income was only $9,000 when it really was $16,000—a difference of $7,000."

Mr. Stewart said that Dr. King "knew in his heart he lied, for he was sitting on the money all the time."

Dr. King, who is now director of the Southern Christian Leadership Conference in Atlanta, pleaded not guilty. He contended that the indictments and extradition, drawn after he had moved from Montgomery to Atlanta, constituted attempts to "harass" him because of his anti-segregation activities.

The trial has been presided over by a special Circuit Judge, James J. Carter. The jurors are all white.

King Associate On Jury Panel

P 16

June 5-24-60

MONTGOMERY, May 23 (AP) — When the Rev. Martin Luther King Jr. goes on trial for perjury Wednesday, a one-time associate will be on the panel from which the 12-man jury is chosen.

Birmingham Post Herald

Among the three Negroes on the 33-man panel which reported for a week's jury duty today is Rufus A. Lewis, chairman of the voting and registration committee of the Montgomery Improvement Assn.

King was president of the pro-integration Negro organization until he moved from Montgomery to Atlanta three months ago.

Lewis, a Montgomery businessman, has been active in efforts to get other Negroes registered as voters.

Birmingham News

The fact that he is on the panel does not mean, however, that Lewis will be on the jury which actually tries King. State's attorneys can reject him.

If all 33 jurors are present Wednesday, defense lawyers can strike from the list any 14 names they see fit, and the state can strike seven.

When that is done, the remaining 12 will serve as the trial jury.

All-white jury to hear King perjury trial

Birmingham News

Birmingham

MONTGOMERY, Ala., May 25—(AP)—The Rev. Martin Luther King Jr. went on trial for perjury today before an all-white jury in a segregated courtroom.

Three Negroes were on the panel of 33 from which the 12-man trial jury was chosen, but state's attorneys eliminated them in striking the jury.

Wed. 5-25-60

RUFUS A. LEWIS, a Montgomery Negro integration leader and onetime associate of King, was the first name striken from the list as the selection of the jury began. The state later eliminated the other two Negroes, Booker Evans and John W. Davis.

The widely known farm leader, Walter L. Randolph, was on the panel and stricken by defense attorneys. Randolph is president of the Alabama Farm Bureau Federation and vice president of the American Farm Bureau Federation.

Before the jury was chosen to try King on a charge of filing false state income tax returns, his lawyers sought to question the 33 prospective jurors individually, but Special Judge James J. Carter refused, ruling that was a matter within the discretion of the court.

Carter instructed the Negro lawyers instead to submit questions to him to be asked of all jurors at one time.

Among the questions submitted by defense attorneys, under protest, were those asking generally whether jurors would give King the same consideration that they would a white defendant or whether they had heard or read anything that would prejudice them.

THE NEGRO LAWYERS also wanted to know if any prospective juror or member of his family have contributed to the Citizens Council, Ku Klux Klan, or any similar organization.

State's attorneys, on the other hand, asked if any of the jurors

had contributed to King's defense fund.

THE TRIAL JUDGE overruled a defense motion in refusing to order the courtroom and the press table integrated.

The judge refused to allow Negroes to occupy the seats normally reserved for white spectators.

CARTER'S RULING on courtroom seating left Negro spectators on one side of the center aisle and white spectators on the other.

However, there were too many Negroes to be seated on their side of the courtroom and they were allowed to occupy the rear seats across the aisle where no white spectators were sitting.

Negro attorneys also asked the court to delay the trial on the grounds that they had insufficient time to prepare an adequate defense. Carter denied the request.

With the preliminary motions out of the way, state and defense attorneys turned next to selection of a 12-man jury. Three Negroes were among the 33 prospective jurors which made up the panel.

CHARGES OF racial discrimination in Montgomery's jury system were among the issues raised by defense attorneys during three days of pre-trial arguments and testimony last week.

But Carter ruled out their complaint of systematic exclusion of Negroes from jury duty after state's witnesses testified that some Negroes sat on nearly every jury panel they could recall.

King's lawyers also injected the issue of Negro voting in contending that Alabama discriminates against would-be Negro voters and, therefore, the Legislature illegally enacted the law under which King was indicted.

Carter overruled that argument, too, but it and the other issues went into the record as possible grounds for appeal to federal court if the Negro leader is convicted.

Specifically, King is accused of reporting his 1956 income as $9150 when the state contends it was $16,162, and his 1958 earnings as $25,348 when it should have been $45.421.

Defense loses delay—

King case slated for trial next week

MONTGOMERY, Ala., May 21 —(AP)—The Rev. Martin Luther King Jr. faces trial for perjury next Wednesday before a special judge who still must decide whether the courtroom will be segregated.

All other pre-trial issues were disposed of before the Negro integration leader formally pleaded innocent Friday to two indictments charging him with filing false state income tax returns.

King's trial Wednesday will be on only one of the perjury indictments. The other will be held up for later disposition.

A defense motion to throw out the indictments, based primarily on the contention that Negroes are systematically excluded from juries in Montgomery, was overruled by Judge James J. Carter.

Carter, in denyng the request, went beyond a mere rejection of the complant of racial discrimination.

He held that Negroes are consistently called to serve both on grand juries and trial juries "without favor or discrimination."

THE JUDGE said evidence put into the record in two and a half days of testimony and arguments shows "a substantial representation of the Negroes on the jury list.

And, he added, the commission which puts names into the jury box has followed a "constantly, continuing, active, conscientious program to place on the jury roll qualified citizens irrespective of their race or color."

Carter also overruled other defense contentions which included the argument that Negroes are excluded from voting in Alabama and that, consequently, the Legislature had no legal right to enact the law on which King's indictments were based.

In other pretrial motions decided earlier, Carter:

Dismissed defense protests that people in Montgomery are prejudiced against King because of his integration activities and that he cannot get a fair trial here. Negro lawyers had asked to move the trial to another city.

ORDERED STATE'S attorneys to make available copies of King's questioned income tax returns.

Defense lawyers asked the special judge to order the traditionally segregated courtroom integrated for Wednesday's trial. Carter said he will decide on that when the trial gets under way.

The Montgomery attorney is serving as a special judge because the regular criminal court Judge Eugene W. Carter (no relation), disqualified himself after the jury question arose. Eugene Carter is a member of the jury commission.

Ruling Expected Today On King's Perjury Charge

MONTGOMERY, Ala. (UPI) — A special judge will rule today on whether the racial integration activities of the Rev. Martin Luther King Jr. have created an atmosphere here that would deny King a fair trial on perjury charges.

After the decision by Special Circuit Judge James J. Carter defense attorneys will begin arguing a long list of motions. The motions include efforts to have indictments against King dismissed and to integrate seating in the courtroom.

King, president of the Southern Christian Leadership Conference of Atlanta, is charged with perjury in connection with his 1956 and 1958 Alabama state income tax returns. The state claims he under-reported his income by about $27,000 for those two years.

Board members support Rev. King during trial

MONTGOMERY, Ala. — Eight board members of the Southern Christian Leadershi Conference were present at the trial of the Rev. Martin Luther King Jr.

The conference, organized in 1957 to foster the struggle for civil rights, is headed by the Rev. Dr. King.

Bord members of the conference at the trial are:

Dr. L. D. Riddick, Alabama State College history professor; the Rev. Martin Luther King Sr. of Atlanta; the Rev. S. S. Seay Sr., executive secretary of the Montgomery Improvement Association; the Rev. Ralph Abernathy, financial secretary and treasurer of the SCLC.

Also, the Rev. H. J. Palmer, the Rev. H. H. Hubbard, the Rev. A W. Wilson, all of Montgomey and Mrs Lillie Hunter of Atlanta, who works with the Rev. Mr. Abernathy in fund raising efforts.

Conference members last Sunday held special prayer services for the Rev. Dr. King, according to the Rev. Mr. Abernathy.

Ala. Officials Boil at Page Ad for King Defense Fund

(Courier Press Service)

MONTGOMERY, Ala. — Alabama officials—boiling mad over the recent full-page ad in the New York Times launching a $200,000 fund drive for the defense of Dr. M. L. King Jr., to aid student protesters and the Southern Christian Leadership Conference, headed by Dr. King—are threatening to sue the 60 signers of the ad on libel and slander charges.

Alabama's Atty. Gen. MacDonald Gallion said last Thursday the state is "definitely" considering such a suit, calling the ad "vicious and malicious." The Montgomery Advertiser, in a lead editorial Thhursday, called several statements in the ad "lies, lies, lies."

But it was Mr. Gallion who made an additional charge that bore more serious overtones to the sponsors of the drive. He denounced a statement made in New York City by Bayard Rustin, executive director of the group sponsoring the ad, and made a bitter attack on Rustin himself.

Replying to Rustin's statement, Attorney General Gallion said:

■

"I SUGGEST that an informed public apprise themselves of the charges, the confession and record of conviction of Bayard Rustin in Pasadena, Calilf., and other instances, the reference to the convictions not being, in my opinion, fit to print.

"If that is the type of leadership, if that is the type of authority representing this group as spokesman, then this country is in, indeed, sorry shape." Gallion added that Rustin had served either as secretary to Dr. King or as secretary to an organization to which Dr. King belongs.

In Atlanta, Friday, Dr. King declined to comment to The Courier on the Rustin situation, saying that he would have to take more time to study the matter and the Alabama statement.

There were indications, however, that the matter might be one of more than passing importance. The charges against Mr. Rustin involved morals charges several years ago.

■

DR. KING said he would have to enter into consultations about the Rustin matter before he could issue a statement. He did not say with whom he intended to consult. There has been an atmosphere of query on the part of several Negro newsmen during recent years with respect to Mr. Rustin's association with Dr. King and his activities.

The white Alabamans have claimed that the ad in the New York Times must have cost at least $5,287.60, their quotation of the Times' page rate for such ads.

Mr. Rustin's statement in New York was triggered by a statement by Alabama Secretary of State, Mrs. Bettye Frink, that signers of the ad ought to be arrested if they ever came into Alabama, and by the Advertiser editorial. It was after this that the 'Attorney General of the state got into the act. He said his staff had been investigating with an eye to filing suit against the signers. He said his findings would be turned over to Gov. John Patterson for his recommendations.—TWA.

As Trial Opens—

King's Deposits Topped Income, Auditor Says

BY REX THOMAS

MONTGOMERY, May 25 (AP) — State's attorneys produced evidence today that the Rev. Martin Luther King Jr. had bank deposits in 1956 totaling some $7000 more than his reported income.

But King's lawyers insisted that the opening testimony of the Negro integration leader's perjury trial was meaningless. They contended it failed to prove that the money was taxable income.

King went on trial before an all-white jury on the first of two indictments charging him with wilfully filing a false state income tax return.

The prosecution went into the Negro minister's financial transactions in an effort to show that he deposited unaccounted sums of money in Montgomery and Atlanta banks.

Lloyd Hale, an Alabama State Revenue Dept. agent, who audited King's tax returns, testified that King at no time contended to him that the money found in bank deposits was tax exempt.

In fact, he said, King paid a tax of $318.81 after the audit results were called to his attention.

Hale said the defendant reported $5040 as salary as a minister in 1956 plus $4110 received from speaking engagements. But the agent said he found deposits in two Montgomery banks, one Atlanta bank and a savings and loan association in Atlanta totaling $16,162.

Defense Protests

Defense attorneys objected frequently to the questions submitted to Hale and at one point protested against any reference to King's 1956 tax income return. They said it was a joint return of King and his wife but only the minister was charged with perjury.

Special Judge James J. Carter overruled that objection.

State's attorneys put nearly 1000 documents into the record as evidence, most of them cancelled checks. After they were admitted, court was recessed to give King's lawyers a chance to look them over.

Twelve white men sat in the jury box to weight the testimony for and against the Baptist minister who gained worldwide recognition in 1956 as the leader of the Montgomery bus boycot.

Three Negroes, including a one-time associate of the defendant, were on the panel of 33 from which the trial jury was chosen. State's attorneys, with the right to reject seven prospective jurors, struck the names of all three Negroes.

Segregation Retained

Defense attorneys sought to break down the traditional segregation pattern in the courtroom, but Judge Carter refused.

Negroes sat on one side of the center aisle, white spectators on the other. Some Negroes however, were permitted to take seats in the rear of the room which white visitors failed to occupy.

Carter, in his written order denying the integration request, said "the judge of this court, indeed the judge of any court, has control of the courtroom over which he presides.

"This court has the power, and it is its duty, to preserve and enforce order . . . to prevent interruption, disturbance or hindrance to its proceedings. This is a responsibility that this judge will not abdicate."

Carter said spectators of both races would be "fairly seated as long as space is available."

The judge also rejected a defense request to order the press table integrated, but at the same time instructed bailiffs to make space available for Negro reporters. One Negro sat at a table with white reporters.

Deposits Cited

Robert B. Stewart, deputy circuit solicitor, told the jury in his opening statement that the state expects to prove that King's bank deposits in 1956 totaled $16,162 while he reported income of $9150.

"That is just how simple this case is going to be," he added.

But when Stewart referred to income tax returns for 1957 and the following year in what he said was an effort to show wilful intent to file a false return, Carter order that remark stricken.

King also is under indictment over his 1958 tax return, but he is on trial now only for the return he filed for 1956.

Robert Ming of Chicago, one of six Negro defense attorneys, told the jury the indictment itself failed to allege a crime. He said it referred to total income instead of "gross income" as provided in the law.

Explaining the difference, Ming said total income could include money, such as gifts, which is exempt by law from income tax.

The Chicago lawyer said the state cannot prove its case.

King himself was among the witnesses who were put under oath at the start of the proceedings. Defense attorneys said "in all possibility" he will testify in his own behalf.

The first two witnesses called by the prosecution were Montgomery bank officials put on the stand to identify King's bank records.

If convicted, King faces a maximum penalty of five years in prison and a minimum of 12 months. The jury has the power only to convict or acquit the defendant. Sentencing is up to the court.

King Committee "Won't Retreat"

Birmingham World

Sat, 4-16-60 p. 4.

NEW YORK — The Committee to Defend Martin Luther King and the Struggle for Freedom in the South Monday declared that it would "not retreat a single inch" from its full-page statement in the March 26th New York Times, despite threats of Alabama state officials to arrest its sponsors.

Birmingham Ala.

Alabama Secretary of State Bettye Frink had stated in a letter to the Associated Press that "each person whose name appears on the advertisement should have a warrant issued for them. And if they ever come to Alabama, they should be arrested and prosecuted for falsifing the State of Alabama with lies."

Sixty persons, including Mrs. Eleanor Roosevelt, Harry Emerson Fosdick, Harry Belafonte, A. Phillip Randolph, Norman Thomas, Marlon Brando, Jackie Robinson, and Gardner Taylor, signed the ad, which called for funds to defend Martin Luther King and the Southern student protest movement.

In an editorial, the Montgomery Advertiser labelled the signers a combination of "voluntary liars" and "unvoluntary liars," while in Birmingham, Alabama's Attorney-General Macdonald Gallion, said the advertisement contained "vicious, unfounded and malicious lies." He said he was considering legal action against the advertisement's sponsors.

The advertisement, which has been published in a dozen Negro newspapers across the country, stated that the objective of Alabama's prosecution of Martin Luther King is to intimidate all uncompromising leaders who stand for justice and decency.

"We stand by the statement," the Committee declared. "It is obvious that the statement of Bettye Frink is intended without a shred of color of law ti intimdate leaders of the North. To paraphrase William Lloyd Garrison, America's glorious abolitionist leader, 'The Committee will not equivocate, it will not retreat a single inch, and it will be heard."

The Committee further accused the State of Alabama, "which has defied the Constitution and the Supreme Court" of now extending its contempt for the Constitution by attempting to deny freedom of speech by threatening arrest and prosecution of distinguished American citizens whose truthful criticism is more than they can bear..."

The Committee's statement went on to say: "The recent events in Alabama, its ugly history of Negro oppression, its flouting of Constitutional rights, are all open and notorious facts. Threats to prosecute those who speak of them will not conceal the truth. Let Alabama adhere to the law of the land and it will cease to be humiliated."

King's attorneys seek to raise legal barriers

The Birmingham News

Birmingham Ala.

MONTGOMERY, Ala., May 16 (AP)—Attorneys for the Rev. Martin Luther King Jr., attempted today to throw up a legal barrier—including a protest against segregation in the courtroom—in an effort to block his trial on perjury charges.

Mon. 5-16-60

The Negro integration leader's arraignment on two charges of filing false Alabama state income tax returns was postponed meanwhile, until Wednesday.

Circuit Judge Eugene Carter, who is scheduled to preside over King's trial next week, disqualified himself from hearing arguments on pretrial motions because defense attorneys attacked legality of the jury commission of which Carter is a member. The commission chooses jurors for trials in circuit court.

AFTER CARTER rescued himself from deciding on a series of four pretrial motions, Circuit Clerk John Mathews designated Montgomery attorney James J. Carter as special judge. He is not related to Judge Eugene Carter.

The selection was made by the clerk underd Alabama law when state and defense attorneys failed to agree among themselvs on a special judge.

King's five Negro lawyers demanded integration of the courtroom for the actual perjury trial, contending the Negro Baptist minister would be denied his constitutional rights if he were tried in a segregated courtroom. By custom, white spectators sit on one side of the center aisle and Negroes on the other.

KING'S LAWYERS also challenged the operation of the jury commission itself, protesting that it is contrary to law, and also claimed systematic exclusion of Negroes from the jury list.

Negroes have been called for jury duty in Montgomery County for many years, but defense attorneys contended the number is too small.

King's attorneys also filed a motion asking for an order to compel the state to make available minutes of the grand jury session at which the integration leader was indicted on two perjury counts charging that he willfully made false state income tax returns for 1956 and 1958.

Before the proceedings started today, the defense had already filed a motion to transfer the trial to another city on the grounds that King could not get a fair trial in Montgomery.

State, county and city officers were alerted to patrol the outside of the courthouse at the outset of the proceedings, but there was no mass Negro demonstration as they said they anticipated.

Alabama To Arraign Rev. King

The Atlanta Constitution

Atlanta, Ga.

MONTGOMERY, Ala. (AP)—The Rev. Martin Luther King Jr. is scheduled for arraignment here Monday on charges of filing false Alabama state income tax returns.

Sat. 5-14-60

But the formal submission of a plea of innocent to the two indictments charging the Negro integration leader with perjury may be delayed until later in the week.

p. 2.

King's trial on the first of the indictments is set for May 24. He is charged with perjury in each of the two counts against him, but Circuit Solicitor William F. Thetford said he will be tried May 24 only on one indictment.

Thetford said defense attorneys have indicated they may challenge the jury panel in an effort to raise a federal question and set the stage for an ultimate appeal to federal courts if the Negro Baptist minister is convicted.

King Trial Develops Legal Fight On Alabama Race Laws

The Dallas Daily Times Herald

Dallas, Ala.

MONTGOMERY (AP)— The Rev. Martin Luther King Jr. has launched a barrage of legal tactics including a new attack on segregation for the state to deal with before trying him for perjury.

Sun. 5-15-60 A 1.

The Negro integration leader's arraignment, scheduled Monday, was postponed until four pretrial motions on various issues are disposed of. Arguments and any required testimony starts Wednesday.

Trial is set to begin in Circuit Court next Tuesday on the first of two charges of perjury in filing Alabama state income tax returns. Conviction on each count could bring a five-year prison term.

Thorugh his five Negro attorneys, King demanded courtroom integration for his trial. He contended that white and Negro spectators seated on opposite sides of the court room, as they customarily do, would violate his constitutional rights.

Lawyers for the Negro clergyman, who now lives in Atlanta, also challenged legality of Montgomery County's system of selecting prospective jurors on the contention that Negroes are systematically excluded.

The Dallas Daily Times Herald

Aside from that racial question, King's attorney charged generally that the local jury commission functions contrary to the state law under which the governor appoints jury commissioners in most counties.

Dallas, Ala.

Under a special law in Montgomery County, the jury commission is composed of the two circuit judges, the probate judge, circuit clerk and sheriff.

The jury challenges prompted Judge Eugene Carter to disqualify himself from hearing the four pre-trial motions because he is a member of the five-man commision which puts names in to the jury box.

a member of the commission.

King also subpoenaed Circuit Clerk John Mathews, Probate Judge John Sankey and Sheriff Mas Sim Butler, the other three members of the Jury Commission, along with Montgomery Police Commissioner L. B. Sullivan and two newspaper editors, Grover C. Hall Jr. of The Montgomery Advertiser, and C. M. Stanley of The Alabama Journal.

King subpoenaes 55 witnesses for hearing

The Birmingham News

Birmingham, Ala.

ONTGOMERY, Ala., May 17— The Rev. Martin Luther King has subpoenaed 55 witnesses—luding the prosecuting attor—in his legal fight against ury charges pending against

Tue. 5-17-60

They have been called to testify at a hearing starting tomorrow on four pretrial motions filed by King's attorneys.

The Negro integration leader's arraignment—giving him a formal chance to plead innocent to the perjury charges—was scheduled Monday, but postponed until the preliminary issues are disposed of.

AMONG OTHER THINGS, King contends he cannot get a fair trial in Montgomery and therefore should be tried in another city, and that Negroes are systematically excluded from jury duty here.

Among the witnesses subpoenaed by defense attorneys are Circuit Judges Eugene Carter and Walter B. Jones, and Circuit Solicitor William F. Thetford, who is prosecuting King.

Carter, who was to have heard the pretrial arguments and presided over the trial itself next week, disqualified himself because he is a member of the commission which puts names into the jury box. Jones also is

ARRAIGNMENT TODAY

The Montgomery Advertiser

Montgomery, Ala.

King Wants Perjury Trial Moved Out Of Montgomery

Mon. 5-16-60

The Rev. Martin Luther King Jr., Negro integration leader charged with falsifying state income tax returns, is seeking to move his May 24 trial out of Montgomery Circuit Court.

Circuit Solicitor William F. Thetford said Sunday that defense attorneys have filed a motion for a change of venue in the trial of King, scheduled for arraignment Monday.

If a hearing is held on the request, Thetford said, the well-known racial strategist might be arraigned later in the week on the two perjury charges, each carrying a possible five-year prison term.

Negro attorney Fred D. Gray said the motion seeks to move the May 24 trial on the first of the two charges to some nearby county "where conditions would be more favorable for unprejudiced proceedings."

The legal request contends, he said, that King could not get a fair trial here because of, among other things, his starring role in racial dealings as former head of the Montgomery Improvement Assn.

King, who led the integrationist MIA until he moved to Atlanta likewise asserted the most of King's jurors will be white persons "who believe in segregation and want to preserve what they call 'the Southern way of Life'."

Aside from those factors, he said, the Negro leader would be denied due process of law here because of a "generally unfavorable feeling among the white citizenry that Dr. King is guilty."

Gray declined comment on reports that the defense may challenge the jury panel in hopes of raising a question that would be appealable to federal courts in the event King is convicted.

Althogh Negroes have served on juries in Montgomery County for many years, Negro attorneys contend that far too few are chosen.

King, who denounced his indictment last February as a "move on the part of the state to harass me and slow up the development of our movement," is charged with falsely swearing that his 1956 and 1958 income was about $27,000 lower than the state contends it was.

Despite the fact that King paid the disputed tax before a grand jury returned the two indictments, the state says that makes no difference. The indictments contend he violated the law in filing the returns.

JUDGE DISQUALIFIES SELF

King Asks For Dismissal Of Perjury Indictment

By ARTHUR OSGOODE

Negro integration leader Martin Luther King, flanked by five Negro attorneys, countered state charges of filing perjured state income tax returns with a series of motions here Monday.

Atty. Fred Gray moved that the scene of the trail be shifted to another county because of alleged prejudice against King as the leader of the local Negro bus boycott.

He also moved that the courtroom be desegregated, and to quash the indictment against King.

The latter move led Circuit Judge Eugene Carter to recuse himself. Since opposing attorneys were unable to agree on a substitute for Carter, Circuit Clerk John Matthews named local attorney James Carter (no relation to Judge Carter) as special judge.

ASKS FOR RECORDS

The judge said he was eliminating himself from the trial because the move to quash rests on an attack on the local jury commission, of which he is a member.

Negro attorney Fred Gray submitted still another motion asking that records be produced of the deliberations of the grand jury that indicted King on the perury charge.

Solicitor William Thetford formally charged King at the arraignment with twice falsifying his state income tax returns.

The indictments charge that King claimed $25,348 in income for the year 1958 when he actually earned $45,421, and $9,150 in 1956 when he actually earned $16,152.

He was charged with tax return statements "which he did not believe to be true and correct."

The arraignment took place after mounted sheriff's deputies ringed the courthouse, set to block any Negro attempt to demonstrate in King's behalf.

There was no incident, however. Only a handful of white spectators attended. Negroes filled one half of the segregated courtroom but many of these were in court to face charges themselves.

King stood silently before Judge Carter, as Gray presented the series of motions.

COURTROOM HUDDLE

Before his arraignment he huddled with his lawyers on a bench in the courtroom. Besides Gray, he is being represented by Solomon Seay Jr. of Montgomery, Arthur Shores of Birmingham, William R. Ming of Chicago and Hubert Delany of New York.

Thetford asked for sufficient time in which to prepare arguments against the motions by King's attorneys. Judge Carter set the arguments for next Wednesday.

The trial itself is set for next week.

Gray had suggested the argument over the motions be set later than Wednesday, since one of King's attorneys will be out of town at the time. "You've got enough lawyers there," Carter observed in denying the request.

The attack on the jury commission reopens an old argument. It was previously used in appeal of the death sentence of convicted Negro rapist Jeremiah Reeves. The argument failed to save Reeves' life and he was executed after the Supreme Court refused to act a second time in his behalf.

Montgomery Negroes are called as jurors. Few, however, have served in recent months.

TESTIMONY REPLAY

The motion by King's lawyers is in some respects a replay of testimony regarding the jury commission during the Reeves' case. Then, both Judge Carter and Circuit Judge Walter B. Jones recused themselves and James Carter, the same man appointed Monday, was named to hear the testimony.

King's attorneys maintained that the jury commission here operates contrary to state law.

In most Alabama counties the commissioners are named by the governor of the state. In Montgomery county, the circuit judges, probate judge, circuit clerk and sheriff compose the commission, under a special law.

In calling for an integrated courtroom, Gray mentioned violation of "due process of law" because of separation of the races during a trial.

The local courts have long observed the practice of seating white spectators on one side of the center aisle and Negroes on the other.

The arguments for a venue change held that King would get a fairer trial in another county, since he is identified here with the Negro bus boycott and is hence unpopular with segregation - minded white Montgomerians.

King Faces Arraignment On Monday

The trial of the Rev. Martin Luther King, who spearheaded Montgomery integration efforts, will probably be held week after next.

King is to be arraigned Monday on charges of making false statements regarding his state income tax returns. The state says he swore his income for the years of 1956 and 1958 was $27,000 lower than it actually was.

King is to be represented by local Negro attorney Fred Gray and by a Birmingham Negro lawyer, Arthur Shores.

It was also reported here that he is to be represented by two Negro attorneys from New York and Chicago.

King was the foremost figure during a Negro boycott of Montgomery buses and was president of the integrationist Montgomery Improvement Assn. until he left Montgomery for Atlanta early this year.

Solicitor William K. Thetford now plans on meeting a batch of defense motions when King is arraigned with other defendants here Monday.

At present, he looks to Tuesday week as the probable starting date of the trial. However, maneuvering on the part of King's attorneys might change the picture.

The trial for May 24 is on one indictment. King faces two counts of perjury.

Possible moves aimed toward dismissal of the case include scrutiny of Montgomery jury lists. Earlier moves in other cases involved Negroes facing trial in the South have frequently involved charges of systematic exclusion of Negroes from juries.

Negroes actually have often served on Montgomery juries. They have been included on recent venire list, but practically all have been stricken before cases actually went to trial.

It is considered unlikely that any Negroes will serve on the jury trying King.

He paid the disputed tax prior to the returning of the grand jury indictment against him. The state says, however, that this does not mitigate the original offense.

King has charged that the indictments are an attempt to harass him as a leader of Southern Negroes fighting segregation, and to "slow up the development of our movement."

REV. MARTIN LUTHER KING
SECOND CHARGE REMOVED INVOLVING
1958 ALABAMA STATE INCOME TAX

...ate Drops Second Case Against King

The Rev. Martin Luther King, cleared by a Montgomery jury of perjury, had the threat of a new trial under similar charges removed Monday.

Two indictments charging fraudulent state income returns were brought against King by a county grand jury.

In May, an all-white jury acquitted King of perjury in a case involving his state income tax return for 1956.

The second indictment, charging King's 1958 return was also falsified, was the one dropped Monday by Circuit Solicitor William Thetford.

"When we tried him before, the jury didn't think we had a case," Thetford observed, "and I don't think this case is any better."

The indictments charged that the Negro integration leader reported his 1956 income as $9,150, when it was actually $16,162, and his 1958 income as $25,348, when it was actually $45,421.

King paid the tax claimed by the state before his indictment. During the ensuing trial, his lawyers maintained that the state erred in counting bank deposits as income when they actually represented money deposited to cover expenses.

Much of King's income came from lecture appearances across the country. He had gained nationwide attention as the leader of the Negro boycott of Montgomery busses, while pastor of the local Dexter Avenue Baptist Church.

DR. KING IS CLEARED IN 2D PERJURY CASE

MONTGOMERY, Ala., July 18 (AP)—The Rev. Dr. Martin Luther King Jr., Negro integration leader, was cleared today of a second charge of perjury in filing his Alabama state income tax.

Prosecuting attorneys said they were dropping the perjury indictment because they lacked evidence.

"When we tried him before, the jury didn't think we had a case," said Circuit Solicitor William F. Thetford, "and I don't think this case is any better."

The two indictments charged Dr. King with perjuring himself by understanding his earnings in 1956 and 1958 by some $27,000.

Dr. King, leader of the Montgomery bus boycott, was acquited on the first charge by a white jury on May 28, after a three-day trial. In this case, he was accused of declaring income of $9,150 in 1956, while the state contended he had received $16,162.

The second indictment charged Dr. King with perjuring himself in listing his income in 1958 as $25,348 when he allegedly earned $45,421 that year. Each charge carried a maximum five-year prison term.

38a 1960 ALABAMA SELMA, ALABAMA PRATTVILLE
MOUNTED AND UNMOUNTED POSSES FORMED

Selma's Mounted Posse Ready

The Montgomery Advertiser

'52 MEN' PLUS 25 MORE HORSEMEN AVAILABLE AS DEPUTIES

Montgomery Adv. 3-12-60

By STUART X. STEPHENSON
Advertiser Staff Writer

SELMA — The Selma figure is "52 Men" just double the number of lawmen that ride on the films.

And Sheriff Jim Clark reported Wednesday that 25 more horsemen are available, if needed, to supplement Dallas County's special deputy commission that exceeds 500 able bodies and law-abiding citizens.



CLARK

Sheriff Clark stated pointedly that the organization of special deputies was not to "flex muscles or intimidate anyone." He calmly analyzed what had taken place in Montgomery and elsewhere throughout the land and spoke reassuringly that "'it won't happen in Selma or Dallas County."

* * *

RESPONSE TO THE call for special deputies all but overwhelmed Sheriff Clark, he admitted. "In the group is a bonafide preacher," he reported, in telling how the citizens came in droves to hear the plans for an organization to combat any possible violence or handle any emergency that might arise in Dallas County.

"This is not a show," the sheriff added. "We are determined to maintain law and order as defined in the Code of Alabama, which reveals in bold type that the suppression of riots and unlawful assemblies is our duty," he insisted.

The Alabama Sheriff's Assn. sponsored Act. No. 87 that was passed by the legislature which placed responsibility on these county officers to handle situations arising from conduct calculated to provoke a breach of the peace.

Selma's crack calvary came on the heels of a reported visit to Selma by two Negroes who have been prominently identified with the sit-down strikes and other provocative acts throughout the state. Spokesmen in Selma said the Negro leadership there rejected the proposals by the Negro leaders who attempted to stir up Selma University students.

* * *

IN REPLY TO A DIRECT QUESTION about Ku Klux members on the vast special deputy commission, Sheriff Clark said he had no knowledge of kluxers being in the organization. Then he emphasized: "We are going to be as thorough as possible in screening all applicants seeking these special police powers. We don't want any bullies, anyone eager to crack a skull. Our aim is to maintain order and keep this county free of strife and trouble."

The mounted posse patrolled the downtown section a few days ago, riding four abreast, under the leadership of Jim Risher, a prominent cattleman of Tyler.

Sheriff Clark said the group would hold regular meetings and special instructions are being given to each rider as well as to the other members of the special commission.

* * *

IN ANSWER TO A QUERY concerning emergency assembly of the special deputies, Sheriff Clark said an elaborate plan had been set up and "we can get our entire group together in a matter of minutes," he asserted.

Sheriff Clark lauded the teamwork of the Montgomery police, firemen and the county officers and credited Sherfif Mac Sim Butler with furnishing him and his deputies with the elaborate idea now in actual practice in Selma.

"Our trip to Montgomery on Sunday a week ago certainly was not in vain," the popular Dallas County sheriff added in his closing remarks.



NEWLY-FORMED MOUNTED POSSE CLATTERS ALONG QUIET STREET
. . . Dallas group paraded downtown after Stadium meeting

News photo—Boone Aiken

In Selma—

The Birmingham News

Posse in training for use in riots

Birmingham, Ala.
Mon. 3-14-60

BY BOONE AIKEN
News correspondent

SELMA, Ala., March 14—Some 100 horsemen paraded through downtown Selma yesterday in the first public display here of a powerful weapon against riot threats—the mounted posse.

Patterned after the Montgomery group which helped suppress a clash between white and Negro groups, the Dallas County men will serve as special deputies in emergencies.

SHERIFF JIM CLARK emphasized that the group was formed for law enforcement purposes only. A dismounted posse also was formed with similar instructions.

Clark emphasized, however, that the men will not actually be sworn in as deputies until such need arises.

Posse members were told they must be available for immediate response to any call. Members are responsible for their horses and equipment.

THE MOUNTED GROUP gathered at the stadium for its first workout yesterday afternoon. On hand was a large number of spectators including wives and children of the horsemen.

Following a workout in the park area the men rode their horses four abreast some two miles into town and down the main street and returned to the stadium for a closing meeting.

Posses form for Dallas if row comes

The Birmingham News
Birmingham, Ala.
News 3-13-60

BY BOONE AIKEN
News correspondent

SELMA, Ala., March 12—Mounted and foot posses to assist the Dallas County sheriff's office in emergencies are being organized here.

Sheriff Jim Clark said members will be given special deputy status and will be eligible for riot duty.

Formation of the groups fol-

lowed near-riots in racially tense Montgomery. Law enforcement officers, aided by special deputies mounted on horseback, limited outbreaks to scattered, quickly suppressed violence.

IN RESPONSE TO a public call, a crowd of 375 men turned out for an organizational meeting in the Dallas County courtroom.

Two organizations were formed, one for a mounted posse and the other for an unmounted posse.

J. O. Risher Jr. of Tyler, a farmer, was named captain of the mounted group.

W. M. Agee of Selma, a wholesale grocer, was named to head the unmounted group. He will be assisted by Morrow Chance, who was elected first lieutenant.

ACCORDING TO Sheriff Jim Clark, the group is still in the organizational stage.

He said that only a "select group of the highest type level headed citizens" will be used.

Members are to be available for immediate action in case of emergency.

Selma's Mounted Guard

The Selma Times-Journal

LAW-ABIDING citizens of Dallas County, both white and Negro, were given heartening assuranee that peace and order will be maintained here by the Sunday appearance of Sheriff Jim Clark's new troop of mounted special deputies, which made a brief incursion of the city and then returned to the point of assembly at Memorial Stadium.

This incursion was in no sense a "march of terror" or a veiled warning to anybody. It rather was a practice maneuver by a highly-organized group of sound and constructive citizens who are dedicated to advancement of the best interests of all our citizens.

To them, protection of abused Negroes will be just as important as safeguarding the interests of white people. There will be no toleration of any function on their part but enforcement of law under direction of duly-elected law enforcement officers.

These special deputies, like their contemporaries in the also newly-organized unmounted law enforcement unit, have been briefed explicitly on this point. If they seek to function other than at the call of the sheriff, they will be acting outside the law and will be held responsible personally for any exploitation of their new status.

Autauga Sheriff's Posse Organized

PRATTVILLE (AP) — Sheriff George Grant Wednesday began screening more than 100 applications of volunteers for a special posse to augment police in emergencies.

He said those chosen for duty in the group's mounted or foot units will be sworn in as special deputy sheriffs to serve on call in racial disorders, disasters and such.

The sheriff said it had not been determined how large the posse will be at full strength. It will be similar to volunteer units already organized in Montgomery, Dallas and Houston counties.

38a 1960



The New York Times June 1, 1960

DISPUTED AREAS: The black line (exaggerated) shows ten-and-one-half-mile boundary for Texas and Florida and three and a half miles for Louisiana, Mississippi and Alabama.

Here's some news 'fitten' to print—

Alabama in Mississippi, Times of N. Y. 'decrees'

WASHINGTON, June 2—(AP)—Rep. George Huddleston (D., Ala.) yesterday chided The New York Times for a map of the Southeast in which Alabama and Mississippi were transposed.

The map was used to illustrate the newspaper's article on the Supreme Court's decision dealing with offshore oil rights.

The map as published in some editions labeled the area of Alabama as Mississippi and Mississippi as Alabama. It also placed Montgomery and Mobile in the state labeled as Mississippi and Birmingham in the state listed as Mississippi.

Huddleston said it was surprising that The Times should display such apparent ignorance of geography.

"The Times' once-fine reputation is fast wearing out and we can understand why if this is an example of how The Times gathers and reports the facts," Huddleston said.

There was no comment from The Times.

Because of a mechanical error, the lettering of the two states got transposed. The error was caught and a correct map appeared in all subsequent editions.

ALABAMA NEW YORK TIMES ARTICLES

JOHN TEMPLE GRAVES

Crumbs From Times Are For The Birds

"O Times, O customs, O interpretive reporting!"

Those crumbs The New York Times threw Birmingham were strictly for the birds.

Lazarus fared better at the rich man's table.

Perhaps our spokesman acted too much like Larazrus, however, treated The Times too much as head of the house. the rich man to be given every benefit of every doubt, respect no matter how wantonly in error.

Would The Times, you wonder, print an unrespectful advertisement, giving not the gentle Chamber of Commerce case but our people's own human sense of outrageous and not-to-be-endured libel?



It was The Times' Publisher Arthur Sulzberger who introduced its so-called interpretive reporting."

Although the ideal is to explain the news with the reporting, it has always seemed to me that the thing would end up in editorializing, slanting news with opinion even while intending only to "interpret."

Teasingly I once wrote Mr. Sulzberger (an old schoolmate) that The Times might wake up some morning and find itself turned into The Chicago Tribune—which makes no bones about slanting.

* * *

WHO IS QUALIFIED in our case to say how many decibles of terror make a reign?

The public is asked to trust Arthur's "intrepretive" reporters and their loyally supporting bosses, including Arthur. But intrepreters are rarely able to do it in an honest vacuum on subjects like this. Nearly always their past life rushes before them. Nearly always they have something in mind which crops out and takes over.

Especially when they are at heart authoritarian crusaders, and in that line (as with The Times itself) welfare state people, New Deal Liberals, National Socialists or other special pleaders.

The Times' Mr. Salisbury had been accused of both slant and socialism or fellow travel long before he interpreted a reign of terror into his Birmingham findings.

His last book, "To Moscow—and Beyond" (Harpers) is supposed to be reporting his conclusions after six years for The Times in Russia (that the situation requires sacrificial getting along with Russia in common cause against the redder menace of China).

But it comes to light that he had reached his conclusion months before he ever went to Russia. "The thesis was already in his mental baggage," says Eugene Lyons in The National Review, recalling that he had presented it in what Mr. Lyons calls "a political essay disguised as a Washington news dispatch. . . ."

Mr. Lyons says this "makes his eyewitness testimony suspect."

Birmingham can agree.

We are certain that before he came down here for eye-witnessing he had "a thesis in his mental baggage". And it can have been more than a "thesis."

Time Magazine says "his reports (from Russia) read more like Red propaganda than accounts of what was really going on," and that he was "widely regarded as a fellow traveler."

Later Mr. Salisbury came home and wrote a book called "An American in Russia" which is described by The Review's writer as "a refutation of Salisbury by Salisbury. . . . It was the censorship, Salisbury pleaded, that had driven him to those long years of prevarication. . . . An unconvincing alibi since it did not explain why his reports were so much more sycophantic than those of equally censored colleagues."

Now the circle is completed. Mr. Salisbury is fellow traveling again. He wants us to line up with Russia because of the menace of Red China.

* * *

THIS IS THE "able, accurate and objective reporter" whose New York Times boss, Turner Catledge, sees him as having done Birmingham no wrong and whom Mr. Catledge's boss, Arthur Sulzberger, author of "interpretive reporting," seems unwilling (as our Editor James E. Mills puts it) to have "bothered" about Birmingham.

* * *

IT WAS IN THE years before Arthur Sulzberger took over from his Southern in-laws (the Ochses and Adlers) that The New York Times became a great newspaper.

What Arthur with his interpretive reporting and "Liberalism" may be doing to it is tragic if current indications count.

His interpreting seems to have wrinkles in it, too.

He has written me a lecture, "interpreting" into my column about Julie Adler at Princeton the very anti-Semitism I was fighting then and have fought all my life.

As if mere mention of its existence made me anti-Semitic. And this in spite of the fact that the only favorable words in Mr. Salisbury's Birmingham pieces were ones quoting me against anti-Semitism.

O Times, O customs, O interpretive reporting!

Lawmaker Denounces Times on Alabama

New York World-Telegram

New York

Scripps-Howard Newspapers.

WASHINGTON, April 21.—Rep. George Huddleston Jr. (D., Ala.) today cited misrepresentations in race stories on Birmingham and Alabama appearing in the New York Times.

Times. 4-21-60

He wrote to the editor of the Times, "It is impossible in a letter of this sort to refute all the inaccuracies and misstatements which have been proclaimed as fact to the people who read the Times."

p. 6.

"It can only be hoped that intelligent persons will not be utterly misled by the writings of a man who obviously begun with the point he wanted to prove and grabbed up such stories, true or untrue, as he thought would apply to embellish on his preconceived and immediately recognizable intentions."

Eight Instances.

Rep. Huddleston cited eight instances in which the Times erred or misinterpreted conditions. The Birmingham Congressman began his barrage Monday.

Times publisher Arthur Hayes Sulzberger, 48 hours later, still has not replied to Mr. Huddleston's telegram asking that another Times man report on conditions in Birmingham and Alabama.

Mr. Huddleston suggested that James Reston remain in the state for that purpose. But Mr. Reston, Times Washington bureau chief, was back at his desk here today.

Crommelin Cited.

These were among the examples of faulty Times reporting that Mr. Huddleston cited today in his letter:

The Times articles claimed that Adm. John Crommelin's extreme viewpoint was accepted more widely than many Alabamians would admit publicly.

"Admiral Crommelin ran for governor in 1958," Rep Huddleston wrote, "and in the secrecy of the voting booths only 2245 persons cast their votes for this man whose views, according to (the Times) are typical, out of a total of 618,000. Further, in Jefferson County where (the Times) would have it believed that he enjoys wide popularity, he received only 218 votes."

Election Issue.

Mr. Huddleston said the Times articles claimed that "schemes" are in use to undermine the electoral college system. He added that the Times must be referring to the election fight between states rights and loyalist electors, which will be settled at the polls in May.

"This is not a 'scheme'," the Congressman declared. ". . . it is a wide-open, hotly debated, completely legal issue to be decided at the ballot box and not, as intimated in the article, by politicians in a somekfilled backroom."

Rep. Huddleston defended efforts of Birmingham police to apprehend bombers. He said there was no truth in charges that telephones are tapped and mail is intercepted and opened. He said the latter is a federal crime.

Times Asks Court Quash Damage Suit

The Montgomery Advertiser

The New York Times, sued by Montgomery city commissioners who say they were defamed in an advertisement, moved to quash the suit against them in Circuit Court here Friday.

Montgomery

The New York newspaper was charged by Mayor Earl James, Commissioners Frank Parks and L. B. Sullivan, with injuring their reputations as public officials in an ad that called for funds with which to defend the Rev. Martin Luther King.

Jan. 18, 60

King is to go on trial here Wednesday on charges of filing false state income tax returns.

The ad, which the commissioners contend was libelous, pictured Montgomery Negroes as subjected to police harassment when they attempted peaceful demonstrations.

McKEE AS AGENT

Representing the New York newspaper is the Birmingham firm of Beddow, Embry, and Beddow. The senior member, Roderick Beddow, is one of Alabama's best known criminal lawyers.

The motion to quash the suit argued that the Times does not do business in Alabama and therefore cannot be sued in state courts.

Besides arguing that it is a foreign corporation, the New York paper held that Don McKee, state editor of The Advertiser, is not its agent in Alabama.

McKee has provided the Times with news stories on a correspondent basis. He was served with copies of the complaints as agent for the New York Times.

Circumstantial

Two Negro ministers also named as defendants, Fred L. Shuttleworth of Birmingham and Solomon Seay of Montgomery, filed demurrers to the suit Friday.

Ist. 5-21-60

APPEARED IN APPEAL

Both denied that the complaint showed that they were responsible in any way for the alleged libel.

Two other Alabama Negro ministers, the Rev. Ralph Abernathy of Montgomery and the Rev. J. E. Lowery of Mobile, are also co-defendants in the case. The names of all four appeared in the King appeal.

The suit was filed over statements in the advertisement asking contributions for King that referred to racial incidents in Montgomery.

Specifically referred to were portions of the advertisement that said that the all-Negro lunchroom at Alabama State College was "padlocked in an attempt to starve" students into submission after they protested expulsion of student demonstration leaders.

Birmingham Answer To Times Spells Out 'Race Relations Here'

An answer to New York Times stories about Birmingham by Harrison Salisbury was scheduled to appear in today's issues of the New York paper.

Mortimer Jordan, president of the Birmingham Chamber of Commerce, and William P. Engel, chairman of the Committee of 100, who signed the answer, said officials of The Times notified them that the Birmingham statement would appear in today's editions of that paper.

The complete statement submitted to The Times follows:

Two articles concerning Birmingham, Alabama, written by The New York Times Reporter Harrison Salisbury appeared on the front page of The Times issues of April 12 and 13, 1960.

Stories Warped

The stories presented to the readers of The Times as factual and purported presumably to give a fair appraisal of Birmingham, were in fact biased, warped and misleading. The "facts" as adduced by Mr. Salisbury to support his attack were in most cases either outright misstatements or, which is worse, half truths.

The people of Birmingham, shocked by a pointless attack particularly in a newspaper of the prestige and stature of The Times, deeply deplore the false image given of them.

Birmingham's complaint is based principally on a sincere belief that your reporter, who was in the city less than 48 hours, apparently seeking sensationalism, used a few obvious cases involving violence and thereby presented a biased, unbalanced image of this thriving Deep South metropolis.

We Deny

The Times reporter made unqualified assertions that "every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle ground has been fragmented by the emotional dynamite of racism" . . . that "telephones are tapped or there is fear of tapping" . . . that "mail has been intercepted and opened" . . . that "the eavesdropper, the informer the spy have become a fact of life." This is the way Mr. Salisbury made our city appear. Your readers could only conclude, on reading these distorted statements that it is dangerous to live in Birmingham, which is certainly not true.

We do deny vigorously that the image presented by Mr. Salisbury is true, because it distorts and telescopes instances covering many prior years in an effort to provide a picture of the moment — a picture that is not true, even reasonably true.

It is submitted that Mr. Salisbury made careless assertions and misstatements of facts regarding individuals. For instance, he took some innuendos used in political campaigns against one of our city officials and treated them as facts. Indeed, the public official referred to has been a firm, effective police commissioner and the record conclusively shows that he does maintain law and order. He has also stated publicly that he will order the arrest of either white or Negro who makes moves likely to set off a racial incident.

Our Own Image

Other examples of exaggerated reporting could likewise be pointed out. To do so would serve no useful purpose and could only create strife and discord.

Birmingham people do not see themselves in the image Mr. Salisbury has drawn of them. We have a community where people, regardless of race, creed or color, live a good life. Certainly we have extremists—but what city does not have? Yes, we have isolated cases of violence — but what city does not have such? Why do The New York Times articles generalize on the actions of a few? This cannot be the true story of any city—be it Birmingham or New York.

The bridge of communications between Birmingham whites and Negroes, nurtured so carefully for so many years by men of good-will of both races, is being destroyed by attacks by many of the media of national communication. The great majority of Birmingham citizens deplore such unwarranted attacks and feel they can only aggravate a difficult situation. They ask, "What does Mr. Salisbury seek to accomplish?"

Faults Conceded

Birmingham people, reacting strongly to this nationally drawn portrait are people who stand in honor and willingly concede faults. They are not prepared to admit that the half-truth is the whole truth. They are not prepared to admit that some faults present the whole picture. They have asked, and they are asking, that all citizens everywhere who may be influenced by such distorted articles as those appearing in The New York Times, have the opportunity to obtain the facts about our community.

Apparently, Mr. Salisbury did not look for the facts set out below or if he did, he failed to credit our community with them:

Negro citizens in Birmingham have moved forward rapidly and steadily. Negro citizens have access to better than average educational, recreational and housing facilities. Also, it can be shown that 50.6 per cent of the Negroes in Metropolitan Birmingham own their homes. These statistics were compiled by the annual consumer analysis survey by The Birmingham News and The Birmingham Post-Herald for 1959.

High Negro Income

The 1950 Census showed Birmingham with the highest Negro family income in the southeast. Since 1950, Negro family income has increased rapidly: Over 10,000 Negro families now earn $4000 or more annually—only 2320 Negro families did so in 1950. Since 1950, the number of Negro families in this bracket has increased over 300 per cent.

All but a fraction of 1 per cent of Negro homes in Birmingham have electricity and last year 75.5 per cent of them had natural gas, compared with 20.7 per cent in 1950. Only 14.6 per cent of Negro families owned automobiles in 1948, but 44.2 per cent owned cars last year. Mechanical refrigerators were owned by 98.2 per cent of Negro families last year compared to 30.9 per cent in 1948. TV set ownership amounted to 84.7 per cent in 1959.

In 1948, 16.1 per cent of Negro families in Birmingham owned washing machines and in 1957 this ownership had increased to 76.2 per cent, or a 500 per cent increase.

Negro Thesis

Birmingham schools for Negroes have progressed with the growing economic ability of the community.

A Negro high school principal in metropolitan Birmingham in the publication of his thesis for his graduate degree at Columbia University, New York, states, "Upon examination of the overview of secondary education for the Negroes as revealed in this study many interesting and sometimes startling facts are shown." . . . "the origin and development of secondary education for Negroes in metropolitan Birmingham, Ala., seems like a fairy tale rather than a reality" . . . "these schools, when taken together, had graduated approximately 35,930 students from 1900 down through 1959."

He further stated in his thesis, "Aside from graduating students, these schools rendered a great service to quite a large but unknown number of persons in providing for them the only formal training which they received. This fact is reflected in the steady increase in literacy among Negroes in Birmingham and Jefferson County. Another contrast was that secondary education was available to every child, and was compulsory and practically free."

Understanding

Since 1942, salaries for Negro and white teachers are on equal basis. Actually, the average salary per Negro classroom teacher this season is $4583 for a nine-month term, compared to $4485 for white teachers.

Each year these teachers are invited to visit Birmingham businesses in a day set aside as Business-Industry-Education Day. This week nearly 100 city Negro teachers will visit 40 companies owned by white business men..

The annual vent is designed to create a closer understanding between the fields of industry and education. Here are comments from Negro teachers regarding previous visits: "Through the years I have had many enjoyable tours, but none more enjoyable than the one . . . with you. Tour guides at the United Nations, Gettysburg, Philadelphia . . . were not as polite and well informed as you were." "We are grateful for the invitation, hospitality and courtesies. "The experience gained will do much in helping us as teachers to give our boys and girls information about the opportunities that are available to them and the very fine contribution the businesses and industrial concerns are making to our community."

All Races Advance

Like most cities, Birmingham has spent millions in new school constructon since 1945. Three school building programs since that date allotted $11,631,660 to Negro schools and $13,007,630 to white schools. This means that 47.5 per cent of all school building funds were spent for Negro schools. Negro children make up 44 per cent of the school population within the city.

Negroes actively and willingly participate in campaigns for United Appeal, Red Cross, Community Chest and other civic endeavors. All Negro agencies are fully supported by the United Appeal.

Birmingham can point with pride to the opportunities for advancement offered to all races here. Could Negroes, or anyone else for that matter, have made such rapid progress under conditions such as those described by Mr. Salisbury?

'Open Door' Policy

With equal introspection, most people of Birmingham recognize that problems abide in this community, as problems exist in every community. They are working on these problems. They ask to be allowed to continue work on these without the fanning influence of distorted imagery and misunderstanding by those who could not hope to understand the situation as it exists.

Birmingham people ask only for objectivity.

They ask for an "open door policy" between national publications, such as The New York Times, and the South.

They have faith that, given the chance to present the true picture, they will find those who are able to see. Nothing more than this, but nothing less either, is due the city of Birmingham. We are proud of Birmingham. We are proud of Birmingham, its past, and we look with confidence to its future.

WILLIAM P. ENGEL,
Chairman, Committee of 100.
MORTIMER JORDAN, president, Chamber of Commerce

Gallion Lauds Suit Planned Against Paper

The South must begin to fight back against "northern whipping bosses," Atty. Gen. MacDonald Gallion said Thursday in support of planned libel action against the New York Times.

"We in Alabama and the South must begin to fight back in matters wherein we are so unfairly attacked," he said, "and let the northern whipping bosses know we are not taking their abuses lying down."

Gallion said he was pleased that Gov. John Patterson has announced a libel suit against the Times and four signers of an advertisement carried in behalf of the Rev. Martin Luther King Jr.

The full page advertisement published in the March 29 editions of the Times solicited contributions to pay the legal expenses of the Negro integration leader who has been indicted for filing false returns of his Alabama state income tax.

Patterson announced Wednesday that he would file a libel suit in state court asking a substantial amount of damages against the New York newspaper because "I felt personally defamed" by the advertisement.

The ad was critical of the handling of racial affairs by public officials in Alabama.

Gallion said his office studied the laws and facts for possible libel action over the advertisement and added, "I believe the best interest of the people of Alabama will be served by such a suit.

Montgomery's Mayor Earl James and the other two city commissioners, L. B. Sullivan and Frank Parks, have already filed $500,000 libel suits each against the New York Times because of the ad.

New York Times Agrees To Birmingham Demands

NEW YORK —AP— The New York Times says it will publish "an appropriate correction" if incorrect or inaccurate statements were made in stories published by the newspaper relating to Birmingham, Ala.

The newspaper earlier this month published two stories by Harrison E. Salisbury concerning Birmingham's racial troubles.

The Times statement, issued by Managing Editor Turner Gatledge, was published in reply to letters from Birmingham city commissioners.

The Times also published the text of the letters from Mayor James W. Morgan, Commissioner of Public Safety Eugene Connor and J. T. Waggoner, commisioner of public improvements.

They complained that the Times stories, published April 12 and April 13, inferred that the commissioners had encouraged or condoned racial hatred or religious intolerance.

The commissioners had said they would file libel suits if no retraction or correction is published by the Times.

The Times statement said: "The stories from Birmingham were prepared by a reliable and experienced reporter. They were based on interviews with residents of Birmingham and in addition brought together material which had previously been reported in the Birmingham press and elsewhere.

"The Times' standards require the reporting of the news in its fullest and most balanced form. In keeping with those standards, the demand for retraction is being published so that our readers may know the elements of the Salisbury articles which the Birmingham commissioners feel are unfair."

The statement said William T. Engel, chairman of the Birmingham Committee of One Hundred has been invited to prepare a statement of its point of view, which the Times will publish when it is received.

The Committee of One Hundred is composed of leading Birmingham businessmen and is organized to attract new industry to Birmingham.

The statement continued:

"The two articles about Birmingham consituted a story of the tension that our reporter concluded exists there. We recognize that the articles did not stress the obvious fact that an overwhelming percentage of the citizens of that city lead happy and peaceful lives in a growing and prosperous community.

"Nor did the articles stress the equally obvious fact that this substantial element of the Citizenry deplores any lawlessness that may exist in their city and is working in its own way to correct and reduce such tensions as exist.

"Should further investigations by the Times indicate that any statement in the Salisbury articles is incorrect or inaccurate in any respect, the Times will publish an appropriate correction."

HEAD OF ALABAMA TO SUE THE TIMES

The New York Times

Gov. Patterson Says Ad to Help Dr. King Defamed State and Public Aides

MONTGOMERY, Ala., April 27 (AP)—Gov. John Patterson today said that he would file a libel suit against The New York Times because of an advertisement carried in The Times on March 29.

Governor Patterson said he had studied the ad and was convinced that it "is false, malicious an dconstitutes defamation of the citizens of Alabama and particularly public officials."

The Governor made his statement at a news conference.

He said the suit would be filed against The Times and four Alabama Negro leaders who signed the ad—the Rev. F. L. Shuttlesworth of Birmingham, the Rev. Solomon Seay Sr. of Montgomery, the Rev. Ralph D. Abernathy of Montgomery, and the Rev. J. J. Lowery of Mobile.

The Governor said he had not decided yet how much he would ask in the suit.

He sai he would file the suit in his name in State Court as an individual. He said he felt personally damaged by the advertisement.

The avertisement was sponsored by a committee raising funds for the defense of the Rev. Dr. Martin Luther King Jr., former Montgomery Negro leader who now lives in Atlanta. Dr. King has been charged with state income tax evasion.

TIMES RETRACTS STATEMENT IN AD

The New York Times

Acts on Protest of Alabama Governor Over Assertions in Segregation Matter

Mon. 5-16-60

Gov. John Patterson of Alabama, acting as Governor and ex-officio chairman of the Alabama State Education Board, has protested to The New York Times certain statements in a paid advertisement of the Committee to Defend Martin Luther King and The Struggle for Freedom in the South, published in The Times last March 29.

Governor Patterson's letter was sent from his office in Montgomery on May 9 and received by The Times on May 12. The text of the Governor's letter and a statement by The New York Times follow:

You will hereby take notice that under and by virtue of the Laws of Alabama, I demand that you publish a retraction of certain false and defamatory matter published by you in The New York Times of Tuesday, March 29, 1960, on page 25, published under the heading, "Heed Their Rising Voices," and particularly the following false and defamatory matter therein contained,

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the State Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering' and similar 'offenses.' And now they have charged him with 'perjury' — a felony under which they could imprison him for ten years."

The foregoing matter and the publication as a whole charge me with grave misconduct and of improper actions and omissions as Governor of Alabama and Ex-Officio Chairman of the State Board of Education of Alabama.

I further demand that you publish in as prominent and as public a manner as the foregoing false and defamatory material contained in the foregoing publication, a full and fair retraction of the entire false and defamatory matter so far as the same relates to me and to my conduct and acts as Governor of Alabama and Ex-Officio Chairman of the State Board of Education of Alabama.

The statement by The New York Times read:

The advertisement containing the statements to which Governor Patterson objects was received by The Times in the regular course of business from and paid for by a recognized advertising agency in behalf of a group which included among its subscribers well-known citizens.

The publication of an advertisement does not constitute a factual news report by The Times nor does it reflect the judgment or the opinion of the editors of The Times. Since publication of the advertisement, The Times made an investigation and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the Governor.

The New York Times never intended to suggest by the publication of the advertisement that the Honorable John Patterson, either in his capacity as Governor or as ex-officio chairman of the Board of Education of the State of Alabama, or otherwise, was guilty of "grave misconduct or improper actions and omissions." To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, The New York Times hereby apologizes to the Honorable John Patterson therefor.

The advertisement bore the names of the following as signers:

Stella Adler, Raymond Pace Alexander, Harry Van Arsdale, Harry Belafonte, Julie Belafonte, Dr. Algernon Black, Marc Blitztein, William Branch, Marlon Brando, Mrs. Ralph Bunche, Diahann Carroll, Dr. Alan Knight Chalmers, Richard Coe, Nat King Cole.

Also, Cheryl Crawford, Dorothy Dandridge, Ossie Davis, Sammy Davis Jr., Ruby Dee, Dr. Philip Elliott, Dr. Harry Emerson Fosdick, Anthony Franciosa, Lorraine Hansbury, the Rev. Donald Harrington, Nat Hentoff, James Hicks, Mary Hinkson, Van Heflin, Langston Hughes, Morris Iushewitz, Mahalia Jackson, Mordecai Johnson.

Also, John Killens, Eartha Kitt, Rabbi Edward Klein, Hope Lange, John Lewis, Viveca Lindfors, Carl Murphy, Don Murray, John Murray, A. J. Muste, Frederick O'Neal, L. Joseph Overton, Clarence Pickett, Shad Polier, Sidney Poitier, A. Philip Randolph, John Raitt, Elmer Rice, Jackie Robinson.

Also, Mrs. Eleanor Roosevelt, Bayard Rustin, Robert Ryan, Maureen Stapleton, Frank Silvera, Hope Stevens, George Taborl, the Rev. Gardner C. Taylor, Norman Thomas, Kenneth Tynan, Charles White, Shelley Winters, Max Youngstein.

The advertisement bore the names of the following as endorsers from the South:

The Rev. Ralph D. Abernathy, Montgomery, Ala.; the Rev. Fred L. Shuttlesworth, Birmingham, Ala.; the Rev. Kelley Miller Smith, Nashville, Tenn.; the Rev. W. A. Dennis, Chattanooga, Tenn.; the Rev. C. K. Steele, Tallahassee, Fla.; the Rev. Matthew D. McCollom, Orangeburg, S. C.; the Rev. William Holmes Borders, Atlanta, Ga.; the Rev. Douglas Moore, Durham, N. C.; the Rev. Wyatt Tee Walker, Petersburg, Va.

Also, the Rev. Walter L. Hamilton, Norfolk, Va.; I. S. Levy, Columbia, S. C.; the Rev. Martin Luther King Sr., Atlanta, Ga.; the Rev. Harry C. Bunton, Memphis, Tenn.; the Rev. S. S. Seay Sr., Montgomery, Ala.; the Rev. Samuel W. Williams, Atlanta, Ga.; the Rev. A. L. Davis, New Orleans, La.; Mrs. Katie E. Whickham, New Orleans, La.; the Rev. W. H. Hall, Hattiesburg, Miss.; the Rev. J. E. Lowery, Mobile, Ala., and the Rev. T. J. Jemison, Baton Rouge, La.

The advertisement bore the name of the Committee to Defend Martin Luther King and The Struggle for Freedom in the South, and of the following as its officers:

A. Philip Randolph and Dr. Gardner C. Taylor, chairmen; Harry Belafonte, Sidney Poitier, chairmen of cultura
King Cole, treas
Rustin, executive
Rev. George B. For
Harry Emerson Fosdi
Thomas Kilgore Jr.,
ward E. Klein, cha
church division; Mor
witz, chairman of labo

3 IN BIRMINGHAM ASK A RETRACTION

The New York Times

City Officials Demand Action by The Times on Article —Editor Issues Reply

Wed. 4-27-60

The New York Times has received letters from the three city commissioners of Birmingham, Ala., demanding that it "publicly retract as a whole" an article about race relations in their city published on April 12.

Identical letters were sent by Mayor James W. Morgan, Eugene Connor, Commissioner of Public Safety, and J. T. Waggoner, Commissioner of Public Improvements. Copies were addressed both to The Times and to Harrison E. Salisbury, the reporter who wrote the article.

A statement on the letters has been issued by Turner Catledge, managing editor of The Times.

COMMISSIONERS' LETTER

The text of the identical letters by the Commissioners follows:

The undersigned member of the City Commission, the governing body of the City of Birmingham, acting under Section 914, Title 7, Code of Alabama of 1940, hereby respectfully demands that you publicly retract as a whole the article defamatory of him published under the heading "Fear and Hatred Grip Birmingham" in the April 12, 1960, issue of The New York Times.

The undersigned member of the City Commission, the governing body of the City of Birmingham, acting under Section 914, Title 7, Code of Alabama of 1940, hereby respectfully demands that you publicly retract the matter defamatory of him contained in the article entitled "Fear and Hatred Grip Birmingham" appearing in the April 12, 1960, issue of The New York Times, and particularly the false inference and insinuation that the undersigned has encouraged or condoned racial hatred or religious intolerance, contained in the following:

"Volunteer watchmen stand guard twenty-four hours a day over some Negro churches. Jewish synagogues have floodlights for the night and caretakers. Dynamite attempts have been made against the two principal Jewish temples in the last eighteen months. In eleven years there have been twenty-two reported bombings of Negro churches and homes. A number were never reported officially."

The undersigned, a member of the City Commission, the governing body of the City of Birmingham, acting under Section 914, Title 7, Code of Alabama of 1940, respectfully demands that you publicly retract the following separate and several portions, defamatory of him, of the article entitled "Fear and Hatred Grip Birmingham," published in the April 12, 1960, issue of The New York Times, viz:

1. "Fear and Hatred Grip Birmingham."
2. "Racial Tension Smoldering After Belated Sitdowns."
3. "* * * Birmingham seems veiled in the poinsonous fumes of distant battles."
4. "But more than a few citizens, both white and Negro, harbor growing fear that the hour will strike when the smoke of civil strife will mingle with that of the hearths and forges."
5. "It is not accidental that the Negro sit-in movement protesting lunch-counter segregation has only lightly touched brooding Birmingham."
6. "The reaction has been new manifestations of fear, force and terror punctuated by striking acts of courage."
7. "Every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle ground has been fragmented by the emotional dynamite of racism, reinforced by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus."
8. "Telephones are tapped or there is fear of tapping."
9. "Mail has been intercepted and opened."
10. "Sometimes it [mail] does not reach its destination."
11. "The eavesdropper, the informer, the spy have become a fact of life."
12. "Birmingham's whites and blacks share a community of fear."
13. "By Birmingham custom, persons charged with vagrancy are not admitted to bail. They are held incommunicado for three days. In actual practice, such a prisoner is sometimes permitted to make one telephone call. But not always. A person arrested on a vagrancy warrant simply disappears for three days. His friends and family may not know what has happened to him."
14. "Police Commissioner Connor was elected in 1958 on race hate platform."
15. "He [Commissioner Con-

nor] went into eclipse for several years, but made a comeback in 1958, running on a platform of race hate."

16. "'Bull is the law in Birmingham, like it o r not,' a business man said."

17. "He [Commissioner Connor] once said: 'Damn the law — down here we make our own law.'"

18. "On another occasion he [Commissioner Connor] declared: 'White and Negro are not to segregate together.'"

19. "A test of the forces symbolized by Mr. Connor is now in the making — a product of the seismic Birmingham reaction to the Negro student sit-ins."

CATLEDGE'S STATEMENT

The statement by Mr. Catledge follows:

The New York Times and its reporter Harrison Salisbury are theratened with a libel suit by three Commissioners in the City of Birmingham, Alabama, growing out of two articles written by Mr. Salisbury which appeared in the issues of The Times of April 12 and April 13, 1960.

In accordance with Alabama statutes plaintiffs in a prospective libel action have the right to make a written demand upon the defendants for a public retraction and apology of the matter published. If the defendants publish within five days a full and fair retraction no "vindictive or punitive" damages can be recovered. The Commissioners of Birmingham have made such a demand. It is being published in full in today's paper.

The stories from Birmingham were prepared by a reliable and experienced reporter. They were based on interviews with residents of Birmingham and in addition brought together material which had previously been reported in the Birmingham press and elsewhere. The Times standards require the reporting of the news in its fullest and most balanced form. In keeping with those standards the demand for retraction is being published so that our readers may know the elements of the Salisbury articles which the Birmingham Commissioners feel are unfair.

In addition, we have invited William T. Engel, chairman of the Birmingham Committee of One Hundred, to prepare a statement of its point of view, which The Times will publish when it is received. The Committee of One Hundred is composed of leading Birmingham business men and has been in existence for a number of years to attract industry to settle in the Birmingham area.

The two articles about Birmingham constituted a story of the tension that our reporter concluded exists there. We recognize that the articles did not stress the obvious fact that an overwhelming percentage of the citizens of that city lead happy and peaceful lives in a growing and prosperous community. Nor did the article stress the equally obvious fact that this substantial element of the citizenry deplores any lawlessness that may exist in their city and is working in its own way to correct and reduce such tensions as exist.

Should further investigation by The Times indicate that any statement in the Salisbury articles is incorrect or inaccurate in any respect The Times will publish an appropriate correction.

MONTGOMERY FILES SUIT

Libel Action Asks $500,000 for Ad in Times on King Trial

A $500,000 libel suit against The Times was filed April 19 by the City of Montgomery in state court there on behalf of Mayor Earl D. James and City Commissioners Frank W. Parks and L. B. Sullivan.

The suit was based on an advertisement in the March 29 issue of The Times that sought to raise money to help pay legal expenses of the Rev. Dr. Martin Luther King Jr., a leading Negro integrationist, for his trial next month on charges of filing false state income tax returns.

Named as co-defendants in the libel suit were four Alabama Negro clergymen active in integration work.

New York Times Offers To Correct Birmingham Stories

NEW YORK (AP) — The New York Times said Tuesday it would publish "an appropriate correction" if any incorrect or inaccurate statements were made in two stories published by the newspaper earlier this month on race relations in Birmingham, Ala.

The newspaper's statement, issued by Managing Editor Turner Catledge, was published in reply to letters from three city officials of Birmingham.

The identical letters demanded that the newspaper "publicly retract as a whole" two articles written by Harrison E. Salisbury, a Times reporter. The stories appeared in the April 12 and April 13 editions of the Times.

The Times also published today the text of the letters from the three Birmingham officials. The letters were signed by Mayor James W. Morgan; Eugene Connor, commissioner of public safety, and J. T. Waggoner, commissioner of public improvements.

The three complained that the Times stories falsely inferred that they had encouraged or condoned racial hatred or religious intoler-

Times Studies Racial Stories

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Publishes Letters

The Times also published today the text of the letters from the three Birmingham officials. The letters were signed by Mayor James W. Morgan, Eugene Connor, commissioner of public safety, and J. T. Waggoner, commissioner of public improvements.

The three complained that the Times stories falsely insinuated that they had encouraged or condoned racial hatred or religious intolerance.

Mr. Catledge's statement said in part:

"The stories from Birmnigham were prepared by a reliable and experienced reporter. They were based on interviews with residents of Birmingham and in addition brought together material which had previously bee nreported in the Birmingham press and elsewhere.

Standards Noted

"The Times' standards require the reporting of the news in its fullest and most balanced form. In keeping with those standards, the demand for retraction is being published so that our readers may know the elements of the Salisbury articles which the Birmingham commissioners feel are unfair.

"In addition, we have invited William T. Engel, chairman of the Birmingham Committee of One Hundred, to prepare a statement of its poin of view, which the Times wil publish when it is received. . .

"Should further investigatior by the Times indicate that any statement in the Salisbury articles is incorrect or inaccurate in any respect, the Times will publish an appropriate correction."

MONTGOMERY ADVERTISER
NEW YORK TIMES ARTICLE APRIL 12, 1960

FOR 'SUBSTANTIAL SUM'

The Montgomery Advertiser

Patterson Plans N.Y. Times Suit

Montgomery, Ala.

Pltfs. 14-28-60

Gov. John Patterson announced Wednesday he intends to sue the New York Times and four Alabama Negro integration leaders for a "substantial sum" in damages inflicted against him personally by an advertisement appearing in the newspaper March 29.

In a press conference summoned for the announcement, Patterson said he had retained Public Service Commissioner Ralph Smith, an attorney, to represent him in the case.

"I have made a considerable study of the advertisement in the New York Times and have come to the conclusion the ad was false and malicious and constitutes a defamation of the citizens of Alabama and particularly of the state officials," he said. "I have decided to sue the New York Times along with the four Negro rabble-rousers who live in Alabama who signed the ad."

The Alabama Negro integration leaders he referred to are the Revs. Ralph Abernathy and S. S. Seay Sr. of Montgomery, the Rev. F. L. Shuttlesworth of Birmingham and the Rev. J. J. Lowery of Mobile.

The advertisement sought funds for the defense of Dr. Martin Luther King Jr., Negro integration leader who was indicted here for perjury concerning his state income tax returns.

Patterson said he had not yet decided how much he would seek in damages, but added that he understood the New York Times "is a rich paper and they ought to be able to pay."

"It will be a substantial sum," he said.

The advertisement, also signed by a long list of prominent persons, had already resulted in $1.5 million damage suits against the paper and the same four Negroes by the Montgomery City Commission.

Patterson said his suit would be filed for personal damages to his reputation and as such would be financed by himself rather than by state funds. He said he did not feel the state as such has a cause for action.

While the suit stems directly from the advertisement, Patterson said a recent series of articles written by Times staffer Harrison Salisbury on the racial situation in Birmingham would be used in the case to show malice.

"Those articles were very vicious and untrue," he said.

Patterson said no work on the case would begin until after the Tuesday election, since Smith is currently a candidate in that election for a state at large seat at the Democratic National Convention.

The governor said he felt the case should be filed in state court, adding that he felt he had a "good case."

When asked if he thought the Times would be willing to stand trial in state court, Patterson replied:

"I would suppose they would submit themselves in all fairness to the jurisdiction of our courts."

Patterson said he had been particularly upset by one statement in the advertisement which said state officials had padlocked the cafteria at Alabama State College in an effort to starve the demonstrating Negroes into submission.

"This was an absolute lie and I think the New York Times knows that was a lie," he said.

Patterson's action came after Atty. Gen. MacDonald Gallion made a study of the case and recommended that a suit be filed. Gallion had suggested that the members of the Board of Education, which includes Patterson, file the suit.

Patterson Weighs Suit In Light Of Retraction

The Montgomery Advertiser

Montgomery, Ala.

Pltfs. 14-27-60

BIRMINGHAM (AP) — Gov. John Patterson Monday said he would confer with attorneys before deciding what effect a retraction may have on his plans to sue the New York Times.

The Times Monday published a statement retracting part of a recently published paid advertisement of "The Committee to Defend Martin Luther King and the Struggle for Freedom in the South."

Pltfs. 5-27-60

The governor demanded a retraction in a letter sent May 9. He contended the advertisement accused him of "grave misconduct and of improper actions and of omissions" as governor and ex-officio chairman of the state board of education.

He has threatened to file suit.

Patterson, here to attend a meeting of the Birmingham Committee of 100, an industry-seeking group, said:

"The retraction proves that they knew the allegations in the ad were untrue."

The Times said it made an investigation, and added:

"To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times herewith apologizes to the Hon. John Patterson therefor."

The two retracted paragraphs are:

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the state capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times —for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury' —a felony under which they could imprison him for 10 years."

Times Studies 'Correction' Of 2 Stories

The Montgomery Advertiser

Montgomery, Ala.

Pltfs. 4-27-60

NEW YORK (AP) — The New York Times said Tuesday it would publish "an appropriate correction" if any incorrect or inaccurate statements were made in two stories published by the newspaper earlier this month on race relations in Birmingham, Ala.

The newspaper's statement, issued by Managing Editor Tuner Catledge, was published in reply to letters from three city officials of Birmingham.

The identical letters demanded that the newspaper "publicly retract as a whole" two articles written by Harrison E. Salisbury, a Times reporter. The stories appeared in the April 12 and April 13 editions of the Times.

The Times also published today the text of the letters from the three Birmingham officials. The letters were signed by Mayor James W. Morgan; Eugene Connor, commissioner of public safety, and J. T. Waggoner, commissioner of public improvements.

The three complained that the Times stories falesly inferred that they had encouraged or condoned racial hatred or religious intolerance.

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The Times Acknowledges Error

THE Governor of Alabama called *The New York Times* a liar, *The Montgomery Advertiser* and the Montgomery City Commission called *The Times* a liar.

The Times has now admitted it printed lies about Montgomery, has retracted and apologized.

The discreditable, fictional character of *The Times* content has been established and half-admitted by *The Times*.

The Times can hardly be expected to go back to 1956 and make an omnibus correction of all its distortions about Montgomery as not even the Sunday *Times* is large enough for that.

As for the prominent American and Broadway dudes whose names were married to the lies in the *Times* advertisement, they evidently feel no shame and are unheard from. In the case of people such as Dr. Harry Emerson Fosdick and Elmer Rice, this surprises *The Advertiser*.

There is nothing new about such distortions, they are an old story to Alabamians. This just happens to be the time when it was possible to yank a curb bit against a mendacious jawbone.

In one sense there is consolation for Alabamians and Southerners in the results of the episodes. *The Times* is, if not the world's greatest paper, then certainly its most important. It has an exalted reputation for truth and restraint and its voice is heard internationally. It hurt the state to be misused in *The Times*, but the proof and acknowledgement of misrepresentation are many times more conspicuous than would be in any other publication.

Newspapers throughout the country will mark it well that *The Times* was forced into a humiliating acknowledgement of inaccuracy and unfairness. For them this will be a flaring caution light.

Perhaps some will speculate whether if Salisbury's Birmingham reporting was deceptive and deficient if Salisbury's vaunted Moscow reporting was likewise.

If *The Times* can't, or won't, gather and print the truth about American cities, how can it be relied upon to gather and print the truth about remote London, Paris, Belgrade, Warsaw, Budapest and Johannesburg?

One concession is cheerfully offered. *The Times* made correction in full and manly form. *Time* magazine, which is much more corrupt plus vicious, would never have made such a correction. *Time's* cynical unwillingness to make corrections is perhaps the rottennest aspect of its morality.

3 Bessemer Officials Sue Times For $1,500,000 Total

BIRMINGHAM (AP) — Mayor Jess Lanier of nearby Bessemer and two other city commissioners have filed libel suits against the New York Times because of a story critical of racial troubles here.

The individual suits for $500,000 were filed in U.S. District Court Friday.

Birmingham's three commissioners filed similar action May 9, also asking $500,000 each.

The story published by the Times several weeks ago mentioned conditions in Bessemer.

The suits, filed in the names of Lanier and commissioners Raymond Parsons and Herman Thompson, charged that the story subjected them to "public contempt, ridicule, shame and disgrace."

They said the New York newspaper failed to publish a full and fair retraction.

Monday Gov. John Patterson filed libel suit against the Times and five Negroes. Patterson's complaint, seeking a million dollars, was filed in circuit court at Montgomery.

It was based on an advertisement in the Times soliciting funds for the legal defense of the Rev. Martin Luther King Jr.

Patterson also named King and four Alabama Negro leaders whose names appeared in the advertisement as defendants.

Separate $500,000 suits also have been filed by Montgomery's three city commissioners because of the advertisement.

Integration Leaders Defend N.Y. Times in Libel Suit; Criticizes Birmingham Paper

Birmingham, Ala. — Integration leaders have come to the defense of The New York Times, which is under attack by segregationists for telling about injustices against Negroes in Alabama cities.

Montgomery city officials have sued over an ad in The Times, and Birmingham officials threaten suit over an article by Harrison Salisbury. Governor John Patterson is also threatening to sue.

Intended to Blind

The Alabama Christian Movement for Human Rights adopted resolutions stating that such "lawsuits are intended to blind the eyes of the local public, and cover up the various violations of law and abuses of citizens' rights."

Actions of the officials and of Alabama newspapers were condemned in a letter in the Birmingham News by the Rev. Fred L. Shuttlesworth, president of ACMHR and a member of the board of directors of the Southern Conference Educational Fund.

Editorial

A similar stand was taken by Aubrey W. Williams, Montgomery, president of SCEF and publisher of the Southern Farm & Home, in an editorial in his paper.

The ACMHR said: "We see nothing false, slanderous or calumnious in the articles in question. We submit that there is nothing of substance to be retracted in either, rather there is much more that could be added.

"We believe the racial climate in Alabama, and especially Birmingham, is tense and dangerous mainly because certain elected officials, sworn to uphold the U. S. Constitution, seem more obsessed with keeping segregation than in protecting individual rights."

Mr. Shuttlesworth defended Salisbury and The Times and then criticized The Birmingham News. He said the newspaper "sought to misrepresent Negroes by writing of "a continued high-pressure program by a handful of Negroes."

City Commissioners Sue New York Times For Ad

The Montgomery Advertiser
Montgomery, Ala.
By ARTHUR OSGOODE
Sept. 4-20-60

Montgomery's three city commissioners are each suing the New York Times for a half a million dollars, charging they were defamed in an advertisement that solicited money to defend the Rev. Martin Luther King in his trial for perjury.

Also named as defendants in the suit, filed Tuesday afternoon in Circuit Court, are Ralph D. Abernathy, Fred L. Shuttlesworth, S. S. Seay Sr., and J. E. Lowery.

Abernathy and Seay are Montgomery Negro ministers who were active with King in activities of the Montgomery Improvement Assn. Shuttlesworth is a Birmingham minister also active in integration movements. Lowery is a Negro minister and integration leader in Mobile.

Mayor Earl James and Commissioners Frank Parks and L. B. Sullivan charge in the libel action that false statements made in the advertisement reflected on them personally and on their performance of their official duties.

The portions of the Times advertisement they say defame their reputations are as follows:

"In Montgomery, Alabama, after students sang 'My Country, 'Tis of Thee' on the Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear gas ringed the Alabama State campus. When the entire student body protested to state authorites by refusing to re-reigster, their dining room was padlocked in an attempt to starve them into submission. . .

"Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him several times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury'—a felony under which they could imprison him for 10 years."

PROMINENT SIGNERS

The advertisement also alludes to incidents in a number of other Southern cities, and maintains that the perjury action against King is designed to put him out of action as a leader of integrationist forces.

It is signed by a number of well known entertainment figures, including Marlon Brando, Shelley Winters, Eartha Kitt, Harry Belafonte, and Anthony Franciosa. Other signers include Mrs. Eleanor Roosevelt, Norman Thomas, and Dr. Harry Emerson Fosdick.

It was paid for by the "Committee to Defend Martin Luther King and the Struggle for Freedom in the South."

King has been charged with perjury in connection with the filing of state income tax returns. His trial is scheduled to come up here next month.

In the suit filed here Tuesday, the city commissioners charge that the defendants "falsely and maliciously published in the state of New York, and in the city of Montgomery, and throughout the state of Alabama, of and concerning the plaintiff, in a publication entitled the New York Times, in the issue of March 29, 1960, on Page 25, in an advertisement entitled 'Heed Their Rising Voices,' false and defamatory matter or charges reflecting upon the conduct of the plaintiff as a member of the Board of Commissioners of the city of Montgomery, Ala., and imputing improper conduct to him, and subjecting him to public contempt, ridicule, and shame, and prejudicing the plaintiff in his office, profession, trade, or business, with an intent to defame the plaintiff. . ."

It further charges that the plaintiff has suffered damage and embarrassment to his character and reputation, personally and as a public official of the city of Montgomery, that he has been injured and damaged in the lawful pursuit of his office, profession, trade, or business, as a proximate result of the aforesaid false and defamatory publication by the defendants; and the plaintiff hence claims punitive damages. . ."

Suits were filed individually on behalf of James, Parks and Sullivan.

The suit held that, since the New York Times is published out of the state and not qualified under state law as doing business in the state, it is deemed to have appointed the Secretary of State of Alabama as its lawful attorney upon whom process may be served.

The law firms of Scott, Whitesell, and Scott, and Steiner, Crum, and Baker are representing the city officials.

Gallion Still Silent On State Court Action

Atty. Gen. McDonald Gallion declined to say Tuesday what action he will recommend to other state officials about a possible court suit against the New York Times.

Aides had said Gallion would make a statement at Tuesday's meeting of the Alabama Education Authority, but the attorney general, returning from a visit to Birmingham, remained silent.

He said that whatever recommendation he makes will be submitted to the State Board of Education, but that he plans to talk to each board member first.

The question of a possible damage suit against the Times arose in protest against a full-page advertisement seeking funds to help the Rev. Martin Luther King Jr., defend himself against a charge of falsifying state income tax returns.

REPORT DRAFTED

The Montgomery Advertiser
Montgomery, Ala.

Research On Move To Sue Times Finished By Gallion

Sept. 4-16-60

Atty. Gen. MacDonald Gallion said Friday he had completed basic research of the law and facts concerning a proposed damage suit against the New York Times.

Gallion said definite recommendations had been drafted and would be presented to the "proper public officials" as soon as arrangements can be made.

Presumably one of the public officials is Gov. John Patterson, who is scheduled to return to his office Monday from a business trip to Puerto Rico.

Reports that such a suit might be filed began to circulate shortly after the Times published a full page advertisement which sought funds to defend the Rev. Martin Luther King Jr. who is under indictment charged with making false statements on his income tax returns in Alabama.

Gallion and others have denounced the advertisement as containing "false and unfounded" charges against public officials in Alabama.

The Montgomery city commission last week demanded that the Times and certain other individuals who endorsed the appeal publish a retraction of the erroneous material.

The advertisement was signed by a number of prominent people including Mrs. Franklin D. Roosevelt, Marlon Brando, Harry Belafonte, Shelley Winters, Robert Ryan, Van Heflin, Hope Lange and A. Phillip Randolph.

Gallion Expected To Seek Suit

Birmingham Post-Herald

MONTGOMERY, April 15 (UPI)—State Atty. Gen. Mac Donald Gallion is expected to recommend that a state agency file a libel suit against The New York Times in connection with an advertisement soliciting funds for the legal defense of Negro Martin Luther King Jr.

Capitol Hill sources said Gallion would make the recommendation to Gov. John Patterson Monday whent he chief executive returns from a trip to Puerto Rico.

Two Agencies

The sources said Gallion probably would recommend that one or perhaps two state agencies file the suit, with the Attorney General's office handling the legal work. The sources said the state agencies probably would be either the State Board of Education or the Board of Trustees for Alabama State College for Negroes here, or both.

Gallion undertook investigatiing the possibilities of a libel suit shortly after the full-page advertisement appeared. The Governor has not publicly discussed the ad which created a storm of criticism throughout the state.

Signed Ad

Sixty prominent liberals, including Mrs. Eleanor Roosevelt signed the ad appealing for contributions to "The Committee to Defend Martin Luther King and the Struggle for Freedom in the South." The list of signers included 17 entertainers, both white and Negro.

King, former president of the Montgomery Improvement Assn. which spearheaded the successful Negro boycott of buses here four years ago, is scheduled to go on trial in Circuit Court here next month on two indictments charging him with perjury in filing state income tax returns. The Negro Baptist minister recently moved to Atlanta where he directs the Southern Christian Leadership Conference.

Gallion to reveal opinion on suit against newspaper

The Birmingham News
Birmingham, Ala.

MONTGOMERY, Ala., April 19 (AP)—Atty. Gen. MacDonald Gallion is to reveal today whether he believes the state has legal grounds for a libel suit against The New York Times.

Gallion is to give the Alabama Education Authority his views on whether the state should sue because of a recent newspaper advertisement which was critical of Alabama.

Aides said Gallion would report to the group because authority members — Gallion, School Supt. Frank R. Stewart and Finance Director Charles Meriwether—are most of the state officials connected with the proposed libel suit.

The attorney general has been studying feasibility of a lawsuit since The Times published the controversial ad two weeks ago.

Purpose of the ad was to raise funds to help pay legal costs involved in the Rev. Martin Luther King Jr.'s trial here next month on charges of filing false state income tax returns.

Gallion Libel Suit Decision Ready Today

The Montgomery Advertiser
Montgomery, Ala.
Sept. 4-19-60

Atty. Gen. MacDonald Gallion will tell the Alabama Education Authority Tuesday whether he thinks the state should file a libel suit against the New York Times as a result of an advertisement published in that newspaper two weeks ago.

Ed Strickland, Gallion's executive secretary, said Monday the attorney general had decided to make a report of his findings to the authority since most of the state officials connected with the proposed suit are members of that group.

The authority includes State School Supt. Frank R. Stewart, Finance Director Charles Meriwether as well as Gallion.

Gov. John Patterson is not a member of the authority but is expected to attend the meeting.

Gallion announced last weekend he had completed research into the proposed case, stemming from the advertisement which sought funds for the defense of Negro integration leader Martin Luther King.

Indications at the Capitol Monday were that Gallion would recommend that a suit be filed by the state Board of Education against the newspaper.

Gallion Expected To Ask Suit Against N.Y. Times

Birmingham Post-Herald

Birmingham, Ala.

Date: 4-19-60

Page: 1, 11

MONTGOMERY, April 18 (UPI)—Atty. Gen. MacDonald Gallion is expected to recommend to the Alabama Education Authority tomorrow that a libel suit be filed against The New York Times in connection with an advertisement soliciting funds for the legal defense of a Negro integrationist.

Sources said Gallion would recommend that the State Board of Education file the suit against the giant newspaper.

Gallion had been expected to make his report to Gov. John Patterson today but the attorney general delayed it until the meeting of the school authority at 10 a.m. tomorrow.

The authority, composed of Revenue Commissioner Harry Haden, school Superintendent Frank Stewart, Finance Director Charles Meriwether, State Auditor Mary Texas Garner, State Treasurer Agnes Bagett and Gallion, is meeting to allocate the remaining $8.5 million of the $20 million in bonds sold for school construction earlier this year. The money is part of a $100 million bond issue approved by the 1959 Legislature.

Gallion undertook investigating the possibilities of a libel suit shortly after the full-page advertisement appeared in The Times March 29. His report was completed over the week-end.

Sixty prominent liberals, including Mrs. Eleanor Roosevelt, signed the ad appealing for contributions to "The Committee to Defend Martin Luther King and the Struggle for Freedom in the South." The list of signers included 17 entertainers, both white and Negro.

The motion, filed by the Birmingham law firm of Beddow, Embry and Beddow, claims the Circuit Court lacks jurisdiction over the case.

Sat, 5-21-60

Birmingham

Beddow

The motion said, "Because the Times is a foreign corporation and not licensed, qualified or authorized to do business in Alabama and has no agent in the state for service in the state, the court has no jurisdiction in the case."

The suit, filed by the commissioners—Mayor Earl James, Police Commissioner L. B. Sullivan and Parks Commissioner Frank Parks—stemmed from an advertisement in the March 25 issue of the Times soliciting funds for the legal defense of Martin Luther King Jr. The commissioners said they were defamed in the ad's version of incidents surrounding recent anti-segregation demonstrations by Negro students at Alabama State College here.

The libel suit, which also named Rev. Ralph Abernathy and Rev. Solomon Seay Sr., both of Montgomery, and Rev. Fred L. Shuttlesworth of Birmingham and Rev. J. T. Lowery of Mobile, claimed the commissioners were subject to ridicule and embarrassment because of the full-page advertisement.

Times Asks Court To Quash Suit

The Commercial Appeal

State Has No Jurisdiction Says Newspaper

Pg 12

MONTGOMERY, Ala., May 20. — (UPI) — The New York Times petitioned Circuit Court here Friday to quash a half-million dollar libel suit filed against the giant newspaper by

3a 1960

ALABAMA

FEAR AND HATRED GRIP BIRMINGHAM

Racial Tension Smoldering After Belated Sitdowns

By HARRISON E. SALISBURY

Special to The New York Times.

BIRMINGHAM, Ala., April 8 —From Red Mountain, where a cast-iron Vulcan looks down 500 feet to the sprawling city, Birmingham seems veiled in the poisonous fumes of distant battles.

On a fine April day, however, it is only the haze of acid fog belched from the stacks of the Tennessee Coal and Iron Company's Fairfield and Ensley works that lies over the city.

But more than a few citizens, both white and Negro, harbor growing fear that the hour will strike when the smoke of civil strife will mingle with that of the hearths and forges.

It is not accidental that the Negro sit-in movement protesting lunch-counter segregation has only lightly touched brooding Birmingham. But even those light touches have sent convulsive tremors through the delicately balanced power structure.

The reaction has been new manifestations of fear, force and terror punctuated by striking acts of courage.

No New Yorker can readily measure the climate of Birmingham today.

Whites and blacks still walk the same streets. But the streets, the water supply and the sewer system are about the only public facilities they share. Ball parks and taxicabs are segregated. So are libraries. A book featuring black rabbits and white rabbits was banned. A drive is on to forbid "Negro music" on "white" radio stations.

Every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle ground has been fragmented by the emotional dynamite of ra-

Tension Is High in Birmingham





Associated Press

Police Commissioner Eugene Connor was elected in 1958 on race hate platform.

Rev. F. L. Shuttlesworth has been arrested twice; his church and home bombed.

cism, reinforced by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus.

In Birmingham neither blacks nor whites talk freely. A pastor carefully closes the door before he speaks. A Negro keeps an eye on the sidewalk outside his house. A lawyer talks in the language of conspiracy.

Telephones are tapped, or there is fear of tapping. Mail has been intercepted and opened. Sometimes it does not reach its destination. The eavesdropper, the informer, the spy have become a fact of life.

Volunteer watchmen stand guard twenty-four hours a day over some Negro churches. Jewish synagogues have floodlights for the night and caretakers. Dynamite attempts have been made against the two principal Jewish temples in the last eighteen months. In eleven years there have been twenty-two reported bombings of Negro churches and homes. A number were never reported officially.

Community of Fear

Birmingham's whites and blacks share a community of fear. Some Negroes have nicknamed Birmingham the Johannesburg of America.

"The difference between Johannesburg and Birmingham said a Negro who came South recently from the Middle West "is that here they have not yet opened fire with the tanks and big guns.

"I have lived in Alabama all my life," said a newspaperman. "Birmingham is going to blow one of these days. And when that happens that's one story I don't want to be around to cover."

"Remember," a business man said, "Birmingham is no place for irresponsible reporting. Be careful of what you say and who you mention. Lives are at stake."

"I'm ashamed to have to talk to you off the record," said an educator. "It is not for myself. But these are not ordinary times. The dangers are very real and people up North must realize that."

"Excuse me," an educated Negro woman said. "But I just don't understand the white people around here. They seem to act so crazy. It doesn't make any sense. Don't they know there is a limit to what people will stand?"

"If you sow hate, you reap hate," said a Negro pastor.

The Birmingham of another era, that of the happy-go-lucky, ignorant Negro, the serio-comic dramas of Eighteenth Street (the Harlem of Birmingham), and the setting of Octavius Roy Cohen and his Florian Slappey stories, has vanished. Gone with it is Birmingham's fabulous Judge Abernathy, who let Negro prisoners determine the length of their stay in the Birmingham jail with a roll of the dice.

Quiet in Early Phases

When the Negro student sit-in movement reached Birmingham ten days ago it set in motion a sequence of events almost reflexive in character.

Birmingham had been quiet during the early phases of the student protests. Two months ago a dozen Negro students went to a public park and began a brief "prayer for freedom." It was curtailed when the police arrested the students on a charge of public disorder.

Then on Thursday, April 2, ten Negro students went two by two into five downtown Birmingham stores. They made small purchases and sat at the lunch counters. All were arrested immediately on charges of trespassing. They were held eighteen hours before being able to make bond.

The next seventy-two hours were busy ones for the Birmingham police. They arrested three Negro ministers, the Rev. F. L. Shuttlesworth, the Rev. Charles Billups and the Rev. C. Herbert Oliver. Mr. Shuttlesworth was arrested twice on successive days.

The police also arrested Thomas Reeves, a 21-year-old white student at Birmingham-Southern College and part-time preacher, and Jessie Walker, a Negro student from Daniel Payne University.

Each of those arrested was charged with "vagrancy." In addition, Mr. Reeves and Mr. Oliver, who was hauled barefooted and in his bathrobe from his home, were charged with "intimidating a witness."

By Birmingham custom, persons charged with vagrancy are not admitted to bail. They are held incommunicado for three days. In actual practice, such a prisoner is sometimes permitted to make one telephone call. But not always. A person arrested on a vagrancy warrant simply disappears for three days. His friends and family may not know what has happened to him.

A Favorite Technique

This is a favorite technique of Birmingham's Police Commissioner, Eugene Connor. Mr. Connor is a former sports broadcaster known as "Bull" because of the timber of his voice. He served as Birmingham police commissioner for sixteen years in the late Nineteen Thirties and Nineteen Forties. His administration was a stormy one.

He went into eclipse for several years but made a comeback in 1958, running on a platform of race hate.

"Bull is the law in Birmingham, like it or not," a business man said.

Mr. Connor is the author of many widely quoted aphorisms. He once said:

"Damn the law—down here we make our own law."

On another occasion he declared:

"White and Negro are not to segregate together."

"Only legitimate hold-ups will be investigated," he announced after evidence had been uncovered that some Birmingham robberies were inside jobs.

Mr. Shuttlesworth has been a frequent target of Mr. Connor's men. He has three cases on appeal. His church has been bombed twice. In one bombing his home was destroyed. Both he and his wife was injured and a white pastor was badly manhandled by a Birmingham mob when the three of them sought to use the white waiting room of the local bus depot.

A test of the forces symbolized by Mr. Connor is now in the making—a product of the seismic Birmingham reaction to the Negro student sit-ins.

Centers on Student

It centers on young Reeves. He is a slight youngster weighing about 137 pounds and standing five feet eight inches. He wears horn-rimmed glasses, suffers from asthma and is noticeably shy and diffident.

He has been charged by the police with "intimidating a witness." The witness presumably was one of the ten Negro students arrested for sit-ins.

The parents of young Reeves have received threats of death. The youth has been restricted to the campus of Birmingham-Southern, technically on administrative probation. Actually, the step is for his physical protection.

A cross was burned on the Birmingham-Southern campus, possibly because of the Reeves case, possibly because ninety-seven Birmingham-Southern students had signed a petition to Gov. John Patternson protesting his action in forcing Alabama College to expel Negro sit-in demonstrators. The petition did not protest segregation. It protested political interference with the academic process.

Dr. Henry King Stanford, president of Birmingham-Southern, has been subjected to extraordinary pressures. But he has not buckled under. He supported the right of his students to send their petition to Governor Patterson on the ground of academic freedom. When he was confronted with threats and demands that young Reeves be expelled he again stood his ground. He declined to prejudge the case.

The Price of Courage

In Birmingham this kind of courage does not come cheaply. Dr. Stanford has been told that the college's position in the Reeves case will cost it a minimum of $1,500,000. This is the amount that the college had hoped to raise in a drive for badly needed building funds this year.

But as one Birmingham citizen said: "You weigh the situation. You take the counsels of caution. You listen to the voices which say don't rock the boat. But finally the time comes when a man has to stand up and be counted."

If fear and terror are common in the streets of Birmingham, the atmosphere in Bessemer, the adjacent steel suburb, is even worse.

On the night the Birmingham police arrested Mr. Shuttlesworth a band of floggers went to work in Bessemer.

The victim was a white woman, Barbara Espy, 19 years old, a former WAC. She was seized by four or five men, dragged into a car, beaten until she signed a confession that she had been "dating" Negroes.

She has since sworn out warrants charging that she was abducted and beaten by a sheriff's deputy, an alderman and three other persons.

The sheriff repeatedly refused to entertain charges against his deputy. The Federal Bureau of Investigation has been asked to look into the case for possible violations of civil rights.

One of the students who participated in the "prayer for freedom" lived in Bessemer. An evening or two later seven carloads of hooded men roared into the street where the youngster lives with his mother and sister.

Armed with iron pipes, clubs and leather blackjacks into which razor blades were sunk the men attacked the boy and his mother and sister. The moth-

er and sister protected the boy with their bodies. The men broke a leg of the mother, smashed open her scalp and crushed her hands.

Forty-five minutes after the alarm had been given, the police arrived, but the band had fled. The next day two deputies visited the mother in the hospital. She recoiled in horror. They were two of those who had beaten her, she said. No charges were lodged.

"She is afraid to say anything," a man familiar with the case declared.

A year earlier a Negro labor union official was attacked by a mob of forty or fifty men as he was being led out a Bessemer courtroom where he had been convicted of "inciting to riot." Some policemen stood by and watched the attack. This case was reported to the F. B. I., but no action has been taken.

Girl Flogged

A year ago a Negro girl and a white girl, both elementary pupils, quarreled on the way to school. A white man emerged from a near-by house with a bull whip and flogged the Negro girl. The police failed to respond to a call from the Negro school principal.

For weeks Negro children had to go to school an hour early and were held in school an hour late so they would not come into contact with white children.

The list of beatings, intimidations and violence could be continued almost indefinitely.

But not everything goes according to plan.

At the height of the last week's tension the Harvard debating team came to town. It met in an open and publicly announced contest with the debate squad of Miles College, a Birmingham Negro school.

Whites and blacks talked from the same platform. Whites sat with blacks in the audience in violation of one of Birmingham's most cherished ordinances. No policemen appeared. It could not have been more normal or peaceful had the contest been held in Cambridge, Mass.

LIBELED, SAYS BIRMINGHAM OF RACE STORY

[Reprinted from Saturday's late editions]

Birmingham, Ala., April 15 (UPI)—The Birmingham City commission voted Friday to institute a libel suit against the New York Times because of a dispatch which said this city was gripped in racial hatred and fear.

Mayor James P. Morgan said the three local commissioners would file the suit as individuals. A local law firm has been retained to begin proceedings, he said. No other details were disclosed.

The libel suit by Birmingham's city commissioners arose from a dispatch datelined Birmingham by Harrison Salisbury, Times reporter, published Tuesday under a headline, "Fear and Hatred Grip Birmingham."

The Salisbury article was reprinted here by the Birmingham Post-Herald, a Scripps-Howard newspaper, under the head: "Text of N. Y. Times Race Hate Story."

"The story was so distorted and so untrue in so many respects it was just unfair to Birmingham," Morgan said. "It was distorted to the point there is nothing real about it at all. Our people are not living in fear and we have never known what a race riot is down here."

William L. Clark, of the law firm, said the libel suit possibly would be brought in state court.

He said the first step was a written demand to the Times for a retraction which would "have some effect on punitive damages." "Even so, we plan to file suit," he said

By Bessemer officials—

The Times target of new libel suits

BY DAN ROPER
News staff writer

Bessemer Mayor Jess Lanier and two Bessemer commissioners have filed individual libel suits against The New York Times in Federal Court here.

Each commissioner claims $500,000 damages charging that a Times story on April 12 was published with intent to defame the commissioners "falsely and maliciously."

The Times story, entitled "Fear and Hatred Grip Birmingham," was written by Times Reporter Harrison Salisbury. He wasn't named a party to the suits.

The Bessemer commissioners' complaints are similar to the suits filed here May 6 by Birmingham's three commissioners. They are also each claiming $500,000 damages from The Times.

THE THREE BESSEMER commissioners' identical suits charge that The Times failed to publish a "full and fair retraction" after they made a written demand for a public retraction of the article.

Each complaint also charges that the article subjected the three commissioners to "public contempt, ridicule, shame and disgrace."

They also claim they were embarrassed, their reputations were damaged, personally and as public officials, and they were injured in their offices.

The other commissioners are Raymond Parsons and Herman Thompson.

THE THREE commissioners each complained in his suit that The Times story "falsely charged, falsely inferred and falsely insinuated" the following:

1—That he was derelict in his duty as a public official.

2—That he encouraged or condoned racial hatred.

3—That he encouraged or condoned violence against members of the Negro race in the City of Bessemer.

4—That he encouraged or condoned the supplanting of law and order with fear, force and violence in Bessemer, at a time when he was a commissioner of Bessemer.

5—That he was guilty of malfeasance in discharging the duties imposed upon him as a commissioner.

6—That he ignored the law and supported or aided in enacting ordinances inconsistent with law.

7—That he encouraged or condoned the support of racism by the police of said city at the time he was a commissioner.

8—That he was guilty of, engaged in or condoned oppression of the Negro race.

9—That he encouraged or condoned violence or mob action.

10—That he has condoned and supported violence and disregard of the laws of the City of Bessemer, Ala., the State of Alabama, and the United States of America.

11—That he has participated in the beating of persons in violation of the law.

The Bessemer firm of McEniry, McEniry & McEniry is representing the commissioners. Each demands a jury trial.

N.Y. Times Retracts Two Ad Paragraphs

NEW YORK (AP) — The New York Times, acting on a protest by Gov. John Patterson of Alabama, Sunday night retracted part of a recent paid advertisement of "The Committee to Defend Martin Luther King And The Struggle For Freedom In The South."

The advertisement, published in the Times March 29, bore the names of a number of actors, writers, entertainers, clergymen and others prominent in public life.

In its statement the Times said:

"Since publication of the advertisement; the Times made an investigation and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the governor."

A letter sent by the governor May 9 called for the retraction on grounds that the advertisement charged him with "grave misconduct and of improper actions and omissions" as governor and ex-officio chairman of the state board of education.

The Times said the paid ad was received in the normal course of business and does not reflect Times editorial judgment or opinion.

Stating that it never intended to suggest any such charge by its publication, the paper said:

"To the extent that anycne can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times hereby apologizes to the Hon. John Patterson therefor."

"The two retracted paragraphs are:

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the state capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury' —a felony under which they could imprison him for 10 years."

Times retracts two paragraphs

NEW YORK — The New York Times last week printed a retraction of part of a statement published recently in a paid advertisement of "The Committee to Defend Martin Luther King and the Struggle for Freedom in the South."

Gov. John Patterson, who has threatened to sue the Times, said he is now conferring with attorneys before deciding what effect a retraction may have on his plans to file litigation.

He charged that a retraction proves that allegations in the Times ad of March 19 were untrue.

The retraction by Times stated:

"Since publication of the advertisement, the Times made an investigation, and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the governor."

Ala. Officials Ask Retraction

MONTGOMERY, Ala., April 9 (UPI) — Montgomery's three city commissioners have demanded a retraction by the New York Times for charges made in an advertisement carried in its March 29 editions.

The City Commission issued this statement:

"Each of the City Commissioners of Montgomery today, by registered mail, demanded that the New York Times and certain other individuals publish a retraction of the defamatory material which was published in the New York Times recently . . ."

Atty. Gen. MacDonald Gallion was expected to report to Gov. John Patterson this weekend on his investigation into the interracial "committee to defend Martin Luther King Jr. and the struggle for freedom in the South."

3 Demand Retraction By Times

(Copyright 1960. The New York Times Co.)

NEW YORK—The New York Times has received letters from the three city commissioners of Birmingham, Ala., demanding that it "publicly retract as a whole" an article about race relations in their city published April 12.

Identical letters were sent by Mayor James W. Morgan; Eugene Connor, commissioner of public safety, and J. T. Waggoner, commissioner of public improvements. Copies were addressed both to the Times and to Harrison E. Salisbury, the reporter who wrote the article.

STATEMENT ISSUED

A statement on the letters has been issued by Turner Catledge, managing editor of the Times.

The identical letters by the commissioners said:

"The undersigned member of the City Commission, the governing body of the City of Birmingham, acting under Section 914, Title 7, Code of Alabama of 1940, hereby respectfully demands that you publicly retract as a whole the article defamatory of him published under the heading "Fear and Hatred Grip Birmingham" in the April 12, 1960, issue of the New York Times."

THREATENED WITH SUIT

The statement by Catledge said, in part:

"The New York Times and its reporter Harrison Salisbury are threatened with a libel suit by three commissioners in the City of Birmingham, Ala., growing out of two articles written by Mr. Salisbury which appeared in the issues of the Times of April 12 and April 13, 1960.

"In accordance with Alabama statutes plaintiffs in a prospective libel action have the right to make a written demand upon the defendants for a public retraction and apology of the matter published. If the defendants publish within five days a full and fair retraction no "vindictive or punitive" damages can be recovered. The commissioners of Birmingham have made such a demand. It is being published in full in today's paper.

REPORTER DEFENDED

"The stories from Birmingham were prepared by a reliable and experienced reporter. They were based on interviews with residents of Birmingham and in addition brought together material which had previously been reported in the Birmingham press and elsewhere. The Times standards require the reporting of the news in its fullest and most balanced form. In keeping with those standards the demand for retraction is being published so that our readers may know the elements of the Salisbury articles which the Birminhgam commissioners feel are unfair.

"In addition, we have invited William T. Engel, chairman of the Birmingham Committee of One Hundred, to prepare a statement of its point of view, which the Times will publish when it is received. The Committee of One Hundred is composed of leading Birmingham businessmen and has been in existence for a number of years to attract industry to settle in the Birmingham area. to settle in the Birmingham area."

Part Of Ad Retracted By Times

NEW YORK, May 15 (AP)—The New York Times, acting on a protest by Gov. John Patterson of Alabama, tonight retracted part of a recent paid advertisement of "The Committee to Defend Martin Luther King and the struggle for Freedom in the South."

The advertisement, published in The Times March 29, bore the names of a number of actors, writers, entertainers, clergymen and others prominent in public life.

In its statement The Times said:

"Since publication of the advertisement, The Times made an investigation and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the governor."

A letter sent by the governor May 9 called for the retraction on grounds that the advertisement charged him with "grave misconduct and of improper actions and omissions" as governor and ex-officio chairman of the State Board of Education.

The Times said the paid ad was received in the normal course of business and does not reflect Times editorial judgment or opinion.

Stating that it never intended to suggest any such charge by its publication, the paper said:

"To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times hereby apologizes to the Hon. John Patterson therefor.

The two retracted paragraphs are:

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the state Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the Southern violators have answered Dr. King's peaceful protest with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury' —a felony under which they could imprison him for 10 years."

New York Times Retracts Part Of Anti-Alabama Ad

NEW YORK (AP) — The New York Times, acting on a protest by Gov. John Patterson of Alabama, Sunday night retracted part of a recent paid advertisement of "The Committee to Defend Martin Luther King And The Struggle For Freedom In The South."

The advertisement, published in the Times March 29, bore the names of a number of actors, writers, entertainers, clergymen and others prominent in public life.

In its statement the Times said:

"Since publication of the advertisement, the Times made an investigation and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the governor."

A letter sent by the governor May 9 called for the retraction on grounds that the advertisement charged him with "grave misconduct and of improper actions and omissions" as governor and ex-officio chairman of the state board of education.

The Times said the paid ad was received in the normal course of business and does not reflect Times editorial judgment or opinion.

Stating that it never intended to suggest any such charge by its publication, the paper said:

"To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times hereby apologizes to the Hon. John Patterson therefor."

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"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the state capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury'—a felony under which they could imprison him for 10 years."

Possible prelude to suit—

Montgomery officials demand full retraction of ad in New York paper

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., April 9—Montgomery city officials late Friday formally demanded full retraction of allegedly libelous statements in a recent New York news paper ad seeking funds for defense of the Rev. Martin Luther King Jr., Negro integrationist.

Regarded as the initial step toward filing libel action, Mayor Earl James and Associate Commissioners Sellers and Parks jointly signed letters air mailed to The New York Times and to several signers of the advertisement.

Under Sec. 913, Title 7 of the state code, persons about to be sued for libel are required to be given an opportunity to retract libelous statements.

If they do retract, that action reduces the degree of libel and limits the amount of a verdict to actual damages.

THE ADVERTISEMENT in question appeared in the March 29 Times. In asking for funds for King's defense, the advertisement contained allegedly untrue and libelous statements relating to recent Negro student disorders in Montgomery.

King is under indictment and faces early trial here on charges of falsifying state income tax returns.

A city cannot file libel action, it was disclosed yesterday, but officials of a city, acting in their official capacity, can take such action.

The advertisement was sponsored by the "Committee to Defend Martin Luther King and for the Struggle for Freedom in the South."

ALTHOUGH THE advertisement contained the names of more than 50 more or less widely known Negro and white movie actors, entertainers and others, the letters were registered and air mailed to The Times and to those whose names appeared as committee heads.

The advertisement charged that Negro students engaging in efforts to crash all-white eating places "had been met by an unprecedented wave of terror by those who would deny and negate that document (the Constitution) which the whole world looks upon as setting the pattern for modern freedom."

Relating to the Negro student disorders here, the ad said:

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the State Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear gas ringed the Alabama College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission."

MONTGOMERY city officials, Attorney General MacDonald Gallion and Gov. Patterson contend that the statement is wholly false and libelous.

Gallion, in a statement Thursday, said he was looking into the situation with court action in mind.

At Jacksonville State College yesterday Gov. Patterson said in reply to a question that he wasn't interested in monetary damages but he was very much interested in seeing that the charges are retracted.

THE ADVERTISEMENT identified the following as members of "the committee":

"Chairmen, A. Phillip Randolph and Dr. Garner C. Taylor; chairmen of cultural division, Harry Belafonte, Sidney Poitier and Shelly Winters; treasurer, Nat C. King; executive ddiector, Bayard Rustin; chairmen of church division, Father George B. Ford, the Rev. Harry Emerson Fosdick, the Rev. Thomas Kilgore Jr., Rabbi Edward E. Klein; chairman of labor division, Morris Iushewitz.

The ad listed a large number of persons supposedly in full sympathy with issuance of the ad but did not say they were directly connected with the committee.

Among them were Mrs. Eleanor Roosevelt, Marlon Brando, Mrs. Ralph Brunche, Nat King Cole, Cheryl Crawford, Dorothy Dandridge, Sammy Davis Jr., Anthony Franciosa, Van Heflin, Mahalia Jackson, Eartha Kitt; Viveca Lindfors, Jackie Robinson, Robert Ryan, Frank Silvera, Norman Thomas, and others.

THE AD ALSO LISTED about a score of Southern Negro preachers. Most of their names have appeared in connection with recent Negro student disorders.

First on the list was the Rev. Ralph D. Abernathy of Montgomery. Next was the name of the Rev. Fred L. Shuttlesworth of Birmingham.

Attorney General Gallion said that Bayard Rustin, executive director of the committee responsible for inserting the ad in The Times has a Los Angeles, Calif., County police record.

ALTHOUGH A STATE or a city cannot sue, there are said to be many instances in which libel suits have been presented by officials of city or state acting in their official capacities.

The Montgomery officials disclosed they had air mailed the demands for a retraction in a brief statement issued late yesterday afternoon.

For "defamatory" ad—

Patterson files $1 million suit against Times, Negroes

MONTGOMERY, Ala., May 30—(AP)—Gov. John Patterson filed a $1 million libel suit in State Court here today against The New York Times and five Negro leaders, including the Rev. Martin Luther King Jr.

He charged The Times and the five Negroes with "false and defamatory matter" in an advertisement soliciting funds for the defense of King in his recent perjury trial.

The Negro minister, who was accused of falsifying his state income tax returns, was acquitted by an all-white jury here Saturday.

Patterson asked for a total of $1 million from The Times, King, the Rev. J. E. Lowery of Mobile, and the Rev. F. L. Shuttlesworth of Birmingham and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr. of Montgomery.

The full-page advertisement, which appeared in the New York paper March 29, bore the name of Lowery, Shuttlesworth, Abernathy and Seay.

King's name was not included, but the governor's office said he was included as a defendant in the libel action because the ad was run in his behalf.

PATTERSON FILED the suit as governor and as ex-officio chairman of the State Board of Education. But in an accompanying prepared statement, he said he considered it also a complaint "in behalf of the people of Alabama."

He said any money received as a result of the suit will be donated to the state "for the construction of a modern, well-equipped nursing home for our needy old folks."

The Times, on May 16, retracted the two paragraphs of the ad which the governor mentioned in his court suit, but Patterson said he did not consider it a "full and fair retraction."

The Times said the advertisement was received in the normal course of business and did not reflect the paper's editorial judgment or opinion.

IT SAID IT NEVER intended to suggest any such charge by its publication. The paper said:

"To the extent that anyone can fairly conclude the statements in the advertisement that any such charge was made, The New York Times hereby apologizes to the Hon. John Patterson therefor."

THE TWO RETRACTED paragraphs said:

"In Montgomery, Alabama, after students sang 'My Country 'Tis of Thee' on the State Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury'—a felony under which they would imprison him for 10 years."

PATTERSON CONTENDED the advertisement imputed "improper conduct" to him and subjected him to "public contempt, ridicule and shame."

In his prepared statement, the governor also said "The good name of Alabama has been slandered." Patterson demanded a jury trial in State Circuit Court.

Montgomery's three city commissioners — Mayor Earl James and L. B. Sullivan and Frank Parks—filed similar suits earlier against The Times, Lowery, Shuttlesworth, Abernathy and Seay. The city officials asked $500,000 each.

Patterson Suit Asks A Million

MONTGOMERY, Ala. (AP)—Gov. Patterson filed a million-dollar libel suit in state court here Monday against the New York Times and five Negro leaders, including the Rev. Martin Luther King Jr. of Atlanta.

He charged the Times and the five Negroes with "false and defamatory matter" in an advertisement soliciting funds for the defense of King in his recent perjury trial.

The Negro minister, who was accused of falsifying his state income tax returns, was acquitted by an all-white jury here Saturday.

THOSE NAMED

Patterson asked for a total of $1 million from the Times, King, the Rev. J. E. Lowery of Mobile and the Rev. F. L. Shuttlesworth of Birmingham and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr. of Montgomery.

The full-page advertisement, which appeared in the New York paper March 29, bore the names of Lowery, Shuttlesworth, Abernathy and Seay.

King's name was not included, but the governor's office said he was included as a defendant in the libel action because the ad was run in his behalf.

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GOVERNOR'S CHARGE

He contended the advertisement imputed "improper conduct" to him and subjected him to "public contempt, ridicule and shame."

In his prepared statement, the governor also said "the good name of Alabama has been slandered."

Patterson demanded a jury trial in state circuit court.

He said any money received as a result of the suit will be donated to the state "for the construction of a modern, well-equipped nursing home for our needy old folks."

The Times, on May 16, retracted the two paragraphs of the ad which the governor mentioned in his court suit, but Patterson said he did not consider it a "full and fair retraction."

Patterson Files Suit Against The Times, Ministers

MONTGOMERY, Ala. — (UPI) — Alabama Gov. John Patterson Monday formally filed a one million dollar libel suit against the New York Times and five Negro ministers in circuit court.

The suit claims a full-page advertisement in the Times March 29 was "false and malicious."

Patterson said any funds obtained through the suit would be used to construct a nursing home in Alabama.

The ad solicited funds for the legal defense of Negro leader Martin Luther King, Jr. of Atlanta who was acquitted Saturday of perjury charges in connection with filing his 1956 state income tax return. The advertisement was signed by 60 prominent liberals, including Mrs. Eleanor Roosevelt.

$5 Million Suit Started By Governor

Gov. John Patterson revealed Wednesday he had initiated a $5 million damage suit against the New York Times and four Negro integration leaders from Alabama, the cases resulting from an advertisement published in the paper March 29.

Patterson said he was seeking $1 million in damages from each of the five defendants. He had not previously announced the amount he would seek.

The governor said letters had been mailed Tuesday to the Times and the Negro ministers—the Revs. Ralph D. Abernathy and Solomon S. Seay Sr. of Montgomery, F. L. Shuttlesworth of Birmingham and J. M. Lowery of Mobile.

CITED CHARGES

The letters, all identical, contained a demand from Patterson that a retraction be made of "certain false and defamatory matter" carried in the advertisement.

He cited particularly the charge in the advertisement that state authorities padlocked the dining hall at Alabama State College for Negroes in an attempt to starve the protesting students into submission.

Alabama Sues N.Y. Times In M.L. King Ad

New York, N. Y. — The City of Montgomery, Alabama, this week filed suit against the New York Times newspaper for failing to retract an advertisement critical of Montgomery and the State of Alabama.

The advertisement was sponsored by the Committee To Defend Martin Luther King and the Struggles for Freedom in the South. The State of Alabama had previously threatened to "arrest" the signers of the full-page statement.

Sixty persons, including Mrs. Eleanor Roosevelt, Harry Emerson Fosdick, Harry Belafonte, A. Philip Randolph, Norman Thomas, Marlon Brando, Jackie Robinson, and Gardner Taylor were among the signers.

Objectives

The advertisement stated that the "objective of Alabama's prosecution of Martin Luther King is to intimidate all uncompromising leaders who stand for justice and decency." The advertisement called for funds to defend Rev. King and the student sit-in movement.

Listed as co-defendants in the suit are Rev. F. L. Shuttlesworth, Rev. J. W. Lowery, Rev. Ralph D. Abernathy and Rev. S. S. Seay. All four ministers have been militant civil rights proponents.

Last week Alabama Secretary of State Bettye Frink had stated in a letter to the Associated Press that "each person whose name appears on the advertisement should have a warrant issued for them, and if they should be arrested and prosecuted for falsifying the State of Alabama with lies."

The committee further stated this week that "the recent events in Alabama, its ugly history of Negro opposition, its flouting of Constitutional rights, are all open and notorious facts."

"Threats to prosecute those who speak of them will not conceal the truth. Let Alabama adhere to the law of the land and it will cease to be humiliated."

Governor Patterson Will Sue NY Times And Negro Leaders

MONTGOMERY (AP)— "I felt personally defamed," says Gov. John Patterson of plans to file a libel suit against the New York Times and four Negro integration leaders.

The governor revealed Wednesday that he will sue for a "substantial sum" in damages because of an advertisement, which criticized handling of Alabama racial problems, published in the Times March 29.

Patterson told a news conference that he plans to file suit in state court as an individual, but had not arrived at the amount of damages to be sought.

In New York the Times declined to comment on the governor's announcement.

Work on the lawsuit will begin after Tuesday's election, he said, because his attorney, Public Service Commissioner Ralph Smith, is running for delegate-atlarge to the Democratic National Convention.

"I have made a considerable study of the advertisement . . . and have come to the conclusion the ad was false, malicious and constitutes a defamation of the citizens of Alabama and particularly of the state officials," the governor declared.

"I have decided to sue the New York Times along with the four Negro rabblerousers who live in Alabama who signed the ad," he said.

The four Negroes he named—all racial leaders — are the Rev. J. E. Lowery of Mobile, the Rev. F. L. Shutlesworth of Birmingham; and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr., both of Montgomery.

Patterson said he was especially upset over the ad's statement that the cafeteria at Alabama State College was padlocked last month in an effort to starve demonstrating Negro students into submission.

"That was an absolute lie," he declared, "and I think the New York Times know that was a lie."

Disclosure of the governor plans came after Atty. Gen. MacDonald Gallion recmomended litigation by members of the State Board of Education, of which Patterson is chairman.

The full-page ad was sponsored by a committee raising funds for legal defense of the Rev. Martin Luther King, Jr., who faces trial here next month on charges of falsifying state income tax returns.

Because of the ad, three $500,000 libel suits against the Times and the four Negroes already have been filed by Montgomery Mayor Earl D. James and City Commissioners L. R. Sullivan and Frank W. Parks.

State Board Told To File 'Times' Suit

By BOB INGRAM

Atty. Gen. MacDonald Gallion recommended Wednesday that members of the State Board of Education file a multi-million dollar suit against the New York Times.

He made his recommendation to Gov. John Patterson at a closed door conference shortly after noon. Patterson made no immediate comment on the matter.

Gallion's report stemmed from a detailed investigation of an advertisement published in the Times March 29 seeking funds for the legal defense of Negro integration leader Martin Luther King Jr. King, formerly of Montgomery, faces trial here next month on charges of falsifying state income tax returns.

'CONCLUSIONS DEFINITE'

"We have confirmed as a fact that many of the statements (in the advertisement) were complete lies," Gallion said. "Among them the untruthful and libelous statement, for example, that state authorities padlocked the dining hall of the Negro Alabama State College in an attempt to starve the Negro students into submission. This and other vicious charges certainly defame Alabama.

"The only practical method to publicly expose this widely published matter, or, at least, the most effective method in my opinion is before the bar of justice," Gallion continued. "My conclusions and recommendations were definite. File a multi-million dollar lawsuit."

The advertisement has already prompted a $1.5 million suit against the Times by the Montgomery City Commission.

The local city officials filed their suit Tuesday against the newspaper and four Negro integration leaders from Alabama who signed the ad—the Rev. F. L. Shuttlesworth, Birmingham; the Rev. J. E. Lowery, Mobile; and the Revs. Ralph D. Abernathy and S. S. Seay Sr. of Montgomery.

The advertisement was also signed by a number of prominent persons including Mrs. Eleanor Roosevelt, Dr. Harry Emerson Fosdick, Marlon Brando, Shelly Winters, Eartha Kitt and Harry Belafonte.

Gallion, in recommending the suit by the individual members of the State Board of Education, said the State of Alabama, as such, does not have cause for action.

In Birmingham, meanwhile, city commissioners Wednesday demanded a apology from the New York Times and threatened legal action if they don't get satisfaction.

The commissioners, after announcing their demand for a retraction, instructed attorneys to prepare a suit if the demand isn't met.

Contents of the written demand for an apology were not made public.

BESSEMER FILES

At nearby Bessemer, city commissioners by-passed a demand for an apology and directed City Atty. J. Howard McEniry to file suit.

Neither Birmingham nor Bessemer officials listed an amount they would ask in their proposed suits.

The action grew out of stories published last week in the Times. The stories, written by Harrison Salisbury, were critical of race relations in the area.

Birmingham officials contended the articles gave a distorted picture of race relations and contained false statements about treatment of Negroes.

Mayor Jess Lanier of Bessemer said:

"The article has put us in a bad light throughout the country. If leads people to believe that the public officials here have no regard for the law. That is untrue."

Commissioners File Suits Against Times

Three lawsuits asking a total of $1.5 million in damages were filed in U. S. District Court here yesterday against The New York Times and Times Writer Harrison E. Salisbury.

The suits were filed on behalf of Birmingham's city commissioners, charging The Times and the reporter with "intent to defame" by "falsely and maliciously" publishing an article entitled "Fear and Hatred Grip Birmingham" last April 12.

According to Commissioner Eugene Connor, the complaints were filed in the Federal Court, rather than in state courts, "to forestall the cry of local projudice if they (the defendants) go hence whipped of justice as they should."

Request Jury Trial

Each suit requests a jury trial. Almost identical in wording, each suit asks $500,000 damages, claiming that The Times article subjected the commissioners to "public contempt, ridicule, shame and disgrace," and that the story "caused (the commissioners) to be embarrassed, and . . . injured and damaged them" in their offices and personally.

A long list of instances were cited in which the Times article according to the suit, "falsely inferred or falsely insinuated" charges with respect to each commissioner. Among them were inferences:

That he was derelict in his duty as a public official, that he as a commissioner encouraged or condoned racial hatred, religious intolerance, or violence.

That he encouraged or condoned the supplanting of law and order with fear, force, or violence.

That he approved or supported an alleged custom of mistreating persons charged with vagrancy by not permitting them to make bail, and by holding them incommunicado.

That he was guilty of or condoned oppression of the Negro race, or that he encouraged or condoned mob action or violence.

Commissioner Connor's suit also asserted that The Times story falsely inferred that he had conducted a campaign for public office "on a platform of race hate."

Connor issued a statement on behalf of all three commissioners in regard to the suits.

The statement said that The Times had been given "ample opportunity" to correct the article, but that "they have not only refused to do this, but have callously repeated it in part and reaffirmed it in whole."

The statement said the commissioners had "been reluctant" to file suit, but that "there is a limit beyond which men, however averse to controversy, cannot be pushed and retain their self respect."

"This gross article, and the cold distain with which our protests have since been treated, leave us no recourse but an American court of justice," the statement said.

The firm of Lange, Simpson, Robinson and Somrville is handling the case for the city commissioners.

3 LIBEL SUITS FILED BY COMMISSIONERS
AGAINST THE NEW YORK TIMES AND REPORTER
HARRISON E. SALISBURY FOR $1,500,000

Seek damages for article

The Birmingham News

City commissioners individually file $1½ million suits against The Times

Birmingham, Ala. Dec. 5-6-60

P. 1.

BY DAN ROPER
News staff writer

Birmingham's three city commissioners filed individual suits against The New York Times Co. and Times Reporter Harrison E. Salisbury in Federal Court here today. Each suit claims $1½ million damages.

The separate suits were filed on behalf of Mayor James W. Morgan, Police Commissoiner Eugene Connor and Public Service Commissioner J. T. Waggoner by Attorney James E. Simpson.

All three complaints charge that The Times printed an article on April 12 "with intent to defame" the commissioners "falsely and maliciously."

The article, writter by Salisbury and carrying a Birmingham dateline, was headed "Fear and Htred Grip Birmingham."

Each commissioner further charges in his suit that the article subjected him to "public contempt, ridicule, shame and disgrace" and caused him to be "embarrassed, damaged his reputation, personally and as a public official."

THE THREE SUITS claim The Times article "falsely inferred or falsely insinuated" the following charges with respect to each commissioner:

1. That he was derelict in his duty as a public official.
2. That he encouraged or condoned racial hatred.
3. **That he encouraged or condoned religious intolerance.**
4. That he encouraged or condoned violence against members of the Negro race in the City of Birmingham.
5. That he encouraged or condoned the supplanting of law and order with fear, force and violence in the City of Birmingham.
6. **That he approved or supported an alleged custom of mistreating persons charged with vagrancy by not permitting them to make bail and by holding them incommunicado for three days.**
7. That he was guilty of malfeasance in discharging the duties imposed upon him as a commissioner.
8. That he ignored the law and supported or aided in enacting ordinances inconsistent with law.
9. That he encouraged or condoned the support of racism by the police.
10. That he was guilty of, engaged in or condoned oppression of the Negro race.
11. **That he was guilty of, engaged in or condoned oppression of persons charged with vagrancy.**
12. That he encouraged or condoned violence or mob action.
13. That he encouraged or condoned the tapping of telephone lines.
14. That he encouraged or condoned the interception of mail.

THE CONNOR SUIT further asserts that the articles falsely inferred that Connor "conducted a campaign for public office on a platform of race hate."

The complaints aver that more than five days before the suits were filed, the commissioners made written requests that The Times publish a public retraction.

The Times "failed or refused to publish a full and fair retraction," each suit says.

Each suit requests a jury trial.

COMMISSIONER Connor issued this statement in connection with the filing of the suits:

"Mayor Morgan, Mr. Waggoner and I have given The New York Times ample opportunity to correct its incredible article.

"We each wrote the paper, as well as the author, Mr. Salisbury, pointing out its vices and asking them to correct it. They have not only refused to do this, but have callously repeated it in part, and reaffirmed it in whole.

"ALTHOUGH OUR state courts are among the fairest in the nation, we are taking this case directly to the United States courts. This is to forestall the cry of local prejudice if they go hence whipped of justice as they should.

"We are reluctant to file this suit. We have done everything we could to avoid it. There is a limit beyond which men, however averse to controversy, cannot be pushed and retain their self respect.

"This gross article, and the cold distain with which our protests have since been treated leave us no recourse but an American court of justice."

Alabamans Sue N.Y. Times

The Atlanta Constitution

BIRMINGHAM, Ala., May 7 (AP). Birmingham's three city commissioners have filed damage suits claiming $500,000 each against the New York Times.

The suits, filed in U.S. District Court Friday, charge the Times with printing a story April 12 "with intent to defame" the commissioners "falsely and maliciously."

Sun. 5-8-60

Named in the suit were the New York Times Co. and Harrison E. Salisbury, a member of the Times' staff.

* * * P. 24.

THE STORY concerned Birmingham's racial troubles. All three complaints charged that the article subjected the commissioners to "public contempt, ridicule, shame and disgrace."

The suits were filed by Mayor James W. Morgan, Police Commissioner Eugene Connor and Public Service Commissioner J. T. Waggoner.

ARTICLE CALLED LIBELOUS

The Florida Times-Union
Jacksonville, Fla

N.Y. Times Is Named in $1.5-Million Suit by Three Birmingham Officials

Sat. 5-7-60

BIRMINGHAM, Ala., May 6 (UPI)—Birmingham's three city commissioners today filed libel suits as individuals against the New York Times and reporter Harrison E. Salisbury for 1½ million dollars.

P. 22.

Mayor James W. Morgan, police Commissioner Eugene Connor and Public Service Commissioner J. T. Waggoner claimed the article about this steel city April 12 was published in the Times "with intent to defame" the commissioners "falsely and maliciously."

Attorney James E. Simpson, who filed the suit, said it was filed in federal court to forestall any claim by the Times that the commissioners were trying "to lynch them with local prejudice in state court."

Each commissioner charged that the article subjected him to "public contempt, ridicule, shame and disgrace" and caused him to be "embarrassed, damaged his reputation, personally and as a public official."

The article, written by Salisbury, dealt with race relations here under a headline saying "fear and hatred grip Birmingham."

The suits charge the Times "falsely inferred or falsely insinuated" that each commissioner was derelict in his duty as a public official, that he encouraged racial hatred, that he encouraged or condoned violence against Negroes.

The commissioners also claimed the Times implied they approve the supplanting of law and order with fear, force and violence, they approve or support mistreating persons charged with vagrancy, that each was guilty of malfeasance in discharging his duties, that the law was ignored in respect to enforcement of ordinances inconsistent with law, that each encouraged the support of racism by police, that each was guilty of oppression of the Negro race, that each was guilty of oppression of persons charged with vagrancy and that each encouraged or condoned mob violence.

Connor charged that the article falsely implied he "conducted a campaign for public office on a platform of race hate."

Connor said the commissoiners had given the Times "ample opportunity to correct its incredible article. We each wrote the paper, as well as the author... pointing out its vices and asking them to correct it. They have not only refused to do this, but have callously repeated it in part and reaffirmed it in whole.

"Although our state courts are among the fairest in the nation, we are taking this case directly to the United States courts, Connor said. "This is to forestall the cry of local prejudice if they go hence whipped of justice as they should."

3 Libel Suits Filed By Commissioners

Commercial Appeal

Birmingham Officials Charge Times Defamed Them

Memphis, Tenn.

BIRMINGHAM, May 6.—(UPI) — Birmingham's three city commissioners Friday filed libel suits as individuals against the New York Times and reporter Harrison E. Salisbury for $1,500,000.

Sat. 5-7-60

Mayor James W. Morgan, Police Commissioner Eugene Connor and Public Service Commissioner J. T. Waggoner claimed the article about this steel city April 12 was published in the Times "with intent to defame" the commissioners "falsely and maliciously."

P. 10.

Attorney James E. Simpson, who filed the suit said it was filed in Federal Court to forestall any claim by the Times that the commissioners were trying "to lynch them with local prejudice in state court."

Each commissioner charged that the article subjected him to "public contempt, ridicule, shame and disgrace" and caused him to be "embarrassed, damaged his reputation, personally and as a public official."

The article, written by Salisbury, delt with race relations here under a headline saying "fear and hatred grip Birmingham."

The suits charge the Times "falsely inferred or falsely insinuated" that each commissioner was derelict in his duty as a public official, that he encouraged racial hatred, that he encouraged or condoned religious intolerance and that he encouraged or condoned violence against Negroes.

In Salisbury's Backyard

Birmingham, said Harrison Salisbury in *The New York Times*, is under a reign of terror imposed by "the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob."

Every city has its violent element, Birmingham's Committee of 100 replied, including New York City. Coincidentally, this excellent reply arrived about the time William McIntyre's article on conditions in New York and New Jersey appeared in *The New York Times Magazine* (May 1).

As McIntyre described the situation, Birmingham's thugs are made to appear retarded in their weaponry. For instance:

Juvenile delinquents in New Jersey have revived an ancient Roman weapon called the cestus. The pugilists of 2,000 years ago reinforced each hand with a heavy circlet of leather . . . The [New Jersey juvenile delinquents] modernized this handy device by adding a bristling row of sharp nails.

The arsenal of delinquency is growing in New York and New Jersey, McIntyre continues. He catalogs some of the current favorites of the 100 fighting gangs in Gotham:

Zipguns, gravity knives, commando daggers, hara-kari knives, machetes, throwing knives, bolos, hunting knives, bayonets, plus such relatively crude weapons as beer can openers and cleavers.

They also rip and bludgeon each other with bicycle chains, sandbags, blackjacks, billy clubs, rubber hoses, electrical cable, automobile radio antennas and, "cruelest of all, a variety of small industrial conveyor belt, one side of which is closely set with sharpened metal teeth a quarter-inch long."

By comparison, Birmingham's violent minority seems to be living in the stone age of cruelty.

Suit Filed Against N. Y. Times

BIRMINGHAM (AP)— Birmingham's three city commissioners today filed suits as individuals against The New York Times, claiming $500,000 damages each in a recent story in The Times about Birmingham's racial situation.

The sutis were filed by Mayor James W. Morgan, Police Commissioner Eugene Bull Connor and Public Service Commissioner J. T. Waggoner.

The complaint named The New York Times Co. and Harrison F. Salisbury, a member of The Times' staff.

All three complaints charged that The Times printed a story April 12 "with intent to defame" the commissioners "falsely and maliciously."

N. Y. Times Publishes B'ham Story

NEW YORK (AP)— The New York Times today published a statement from two business-civic groups at Birmingham, Ala., which criticized earlier stories carried by the Times on racial tension in the South.

The statements had been invited by the Times and, like the earlier articles written by Harrison Salisbury, a New York Times reporter, were published on page one.

The joint statement came from the Birmingham Chamber of Commerce and Birmingham's Committee of 100. The latter is a business organization formed to attract business and industry to the Birmingham area.

The statement was signed by Mortimer H. Jordan, president of the Birmingham Chamber of Commerce, and William P. Engel, chairman of the Committee of 100.

38a 1960

NEW YORK TIMES AND FIVE NEGRO INTEGRATIONISTS
GOVERNOR JOHN PATTERSON FILES SUIT

ALABAMA

Alabama Seeks $1½ Million

The Pittsburgh Courier

N.Y. Times, Negroes Are Sued for Libel

Pittsburgh Pa.

Sat. 4-30-60

(Courier Press Service)

MONTGOMERY, Ala.—Alabama's conscience-lashed by outside criticism—has brought on a libel suit for $1,500,000 against the New York Times and four Alabama Negroes.

The suit filed in state court here by the three Montgomery city commissioners resulted from an "ad" in the New York paper on March 29.

Mayor Earl D. James and Commissioners F. W. Parks and L. B. Sullivan named the Revs. Ralph Abernathy and S. S. Seay Sr. of Montgomery; F. L. Shuttlesworth of Birmingham, and J. E. Lowery of Mobile, as co-defendants with the New York paper.

■

THE "AD" announced the launching of a drive to raise $200,000 to defend the Rev. M. L. King Jr., and to assist the student demonstrators in the South and the Southern Christian Leadership Conference.

It cited a number of incidents which is said existed in the Alabama capital, which the plaintiffs termed "lies" in asking The Times to retract. The paper reportedly refused to retract and the suit followed. Six white lawyers represent the plaintiffs.

Each of the plaintiffs is asking $500,000, charging the ad had held them up to ridicule and embarrassment with its version of incidents connected with the recent student demonstrations by Alabama State College students here.

■

MEANWHILE, state officials were considering filing a multi-million dollar suit against the New York paper also because of the same ad. Atty. Gen. MacDonald Gallion has recommended that such a suit be filed.

At the same time, city commissioners in Birmingham are also considering filing suit against the Times because of two articles by a Times reporter in which that city was depicted as a center of lawlessness and having a reign of terror against Negroes.

The joining of the four Alabama Negro ministers to the local suit is regarded as another effort to harass them by having them involved in costly court actions.

Dr. King's trial is due to be held in the third or fourth week in May on the perjury charge in connection with his state income tax returns.

Alabamans Sue Times Over Ad

The Evening Star

Washington D.C.

4-30-60

MONTGOMERY, Ala., April 20 (AP).—The New York Times and four Negro integration leaders face libel suits totaling $1.5 million over a recent advertisement whic hcriticized handling of Alabama racial flareups.

Montgomery's Mayor Earl D. James and City Commissioners Frank W. Parks and L. B. Sullivan each file da $500,000 suit in State Court yesterday against the newspaper and these four Negro clergymen.

The Rev. F. L. Shuttlesworth of Birmingham, the Rev. J. E. Lowery of Mobile, and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay, jr., both of Montgomery.

March 29 editions of the Times published the full-page ad seeking funds to help the Rev. Martin Luther King, jr., defend himself against a charge of falsifying State income tax returns.

Mr. James, Mr. Parks and Mr. Sullivan charge that the ad's version of incidents surrounding recent demonstrations by Montgomery Negro college students subjected the city officials to ridicule and embarrassment.

Refuses Retraction

They contend that the advertisement contained untrue material which reflected on them personally and on performance of their duties, and that the Times refused their demands to print a retraction.

Patterson Sues New York Times

The Commercial Appeal

Memphis, Tenn.

Five Negroes Also Named In $1,000,000 Suit For Libel

MONTGOMERY, Ala., May 30.—Alabama Gov. John Patterson filed a one-million-dollar libel suit against The New York Times and five Negro integrationists Monday, charging the people of the state had been slandered by an advertisement in the newspaper.

Date 5/30/60

The suit claims a full page advertisement in the March 29 Times was false and malicious.

The ad solicited funds for the legal defense of Negro leader Martin Luther King Jr. of Atlanta, who was acquitted Saturday of perjury charges in connection with the filing of his 1956 state income tax return. Sixty prominent liberals, including Mrs. Eleanor Roosevelt and many entertainers, signed the advertisement.

p 22

Negroes Named

The Negro ministers included in the suit are King, Ralph D. Abernathy and Solomon S. Seay Sr. of Montgomery, and Fred L. Shuttlesworth of Birmingham and J. E. Lowery of Mobile.

After the suit was filed in Montgomery Circuit Court, Governor Patterson issued the following statement:

"This morning I have instigated formal proceedings in my suit against The New York Times and five Negro agitators.

"A two-count complaint was filed . . . charging (The Times and the Negro ministers) with defaming the reputation of the Governor and the citizens of Alabama for the publication of false and malicious full-page advertisement on March 29.

"The good name of Alabama has been slandered and I intend to push prosecution of this case with all speed and diligence. Although the suit is filed in my name, I also consider it to be one brought in behalf of the people of Alabama. Therefore, I plan to give the proceeds from whatever judgment is awarded by the court for the construction of a modern, well-equipped nursing home for our needy folks here in Alabama."

The complaint claims The Times' ad accused Governor Patterson of "improper conduct which led to public contempt, ridicule and shame, embarrassment, unjust criticism and prejudicing the Governor in his official capacity as chief executive.

The suit claims The Times and the Negro defendants failed to publish a fair and full retraction of the advertisement.

Apology Published

The Times published a letter from Governor Patterson May 16 and said, in an accompanying news story, if the facts as stated in the ad were not true, the newpaper wanted to apologize.

The Times has employed the law firm of Beddow, Embry and Beddow of Birmingham to represent the newspaper.

The firm has asked that a second libel suit against the giant newspaper and four of the Negro ministers, brought by the Montgomery City Commissioners, be dropped because the paper does not do business in Alabama and therefore local courts have no jurisdiction over the New York newspaper.

Five Negroes, The Montgomery Times Sued By Patterson

Advertiser

Montgomery Ala.

By THE ASSOCIATED PRESS

With a promise to use the money for an old people's home, Gov. John Patterson Monday sued the New York Times and five Negro leaders for one million dollars.

Date 5-31-60

Patterson charged that a recent full-page advertisement in the Times soliciting funds for the Rev. Martin Luther King Jr. subjected the governor to "public contempt, ridicule and shame."

King, now a resident of Atlanta, was named as a defendant in the libel suit along with the New York paper and four Alabama Negroes—the Rev. F. L. Shuttlesworth of Birmingham, the Rev. J. E. Lowery of Mobile and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr. of Montgomery.

p. 1

LEGAL COSTS

The advertisement, seeking funds to pay King's legal costs for his recent perjury trial, bore the names of the four other Negroes along with several actors, clergymen and others prominent in public life.

King, accused of falsifying his state income tax returns in 1956, was acquitted by an all-white jury here Saturday but is still under indictment on a similar charge involving his 1958 returns. State's attorneys declined to say whether the other indictment will be tried.

Although he filed the suit as governor and ex-officio chairman of the State Board of Education, Patterson said he considered it also a complaint "in behalf of the people of Alabama."

NURSING HOME

He said if he receives a judgment, he will donate the money to the state "for the construction of a modern, well-equipped nursing home for our needy old folks."

His promise to use the money for a charitable cause came in a prepared statement accompanying the suit.

The complaint filed in Circuit Court quoted two paragraphs of the Times ad which was published March 29. Although the newspaper later retracted those paragraphs, the governor said he did not consider it a "full and fair" retraction.

The Montgomery Advertiser

King was included as a defendant although his name did not appear in the advertisement. The governor's office said he was brought into the suit because the ad was published in his behalf.

In its retraction on May 16, the Times said it took the paid ad as part of the normal course of business and that its content did not reflect the paper's editorial judgment or opinion.

It said that by publishing the advertisement, it never intended to suggest a charge against the governor, and added:

Montgomery Ala.

Date 5-31-60

"To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times hereby apologizes to the Hon. John Patterson."

p. 2-14

The advertisement spoke of racial conditions in Montgomery during recent student demonstrations and said the dining hall at Alabama State College was padlocked "in an attempt to starve" the students into submission.

College authorities denied that the dining room was padlocked.

Montgomery's three city commissioners also have sued the Times because of the same ad. They asked $500,000 each.

Among the disputed facts in the ad:

"In Montgomery, Ala., after students sang 'My Country, 'Tis of Three' o nthe Capitol steps, their leaders were expelled from school, and truckloads of police armed with shotguns and tear gas ringed the Alabama State College campus.

"When the entire student body protested to State authorities by refusing to re-register, their dining room was padlocked in an attempt to starve them into submission."

Prominent Signers of Ad

The ad also alluded to racial troubles in a number of other Southern cities, and suggested that the perjury action against Mr. King was aimed at curtailing his integration activities.

The controversial Times ad which the four Negro leaders signed was sponsored and paid for by "The Committee" to Defend Martin Luther King and the Struggle for Freedom in the South."

Its other signers included such prominent persons as Mrs. Eleanor Roosevelt, Marlon Brando, Shelly Winters, Eartha Kitt and Harry Belafonte.

ALABAMA GOVERNOR SUES FOR $1,000,000

The New York

MONTGOMERY, Ala., May 30 (AP)—Gov. John Patterson filed a $1,000,000 libel suit in state court here today against The New York Times and five Negro leaders, including the Rev. Dr. Martin Luther King Jr.

He charged The Times and the five Negroes with "false and defamatory matter" in an advertisement soliciting funds for the defense of Dr. King in his recent

perjury trial.

The minister was acquitted Saturday of a charge of falsifying his state income tax returns.

The Times, on May 16, retracted the two paragraphs of the advertisement that the Governor mentioned in his court suit, but Governor Patterson said he did not consider it a "full and fair retraction."

The suit names The Times, Dr. King, the Rev. J. E. Lowery of Mobile, the Rev. F. L. Shuttlesworth of Birmingham, the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr., of Montgomery.

Governor Patterson said that if he receives a judgment, he would donate the money to the state "for the construction of a modern, well-equipped nursing home for our needy old folks."

The advertisement spoke of racial conditions in Montgomery during recent student demonstrations and said the dining hall at Alabama State College had been padlocked in an attempt to starve the students into submission. College authorities denied that the dining room had been padlocked.

Montgomery's three City Commissioners, Mayor Earl James and L. B. Sullivan and Frank Parks, filed similar suit earlier against The Times, Mr. Lowery, Mr. Shuttlesworth, Mr. Abernathy and Mr. Seay.

The city officials asked $500,000 each.

Rev. King, Times Sued For Libel

MONTGOMERY, Ala.—(AP) — Gov. John Patterson filed a million-dollar libel suit in state court here Monday against The New York Times and five Negro leaders, including the Rev. Martin Luther King Jr.

He charged The Times and the five Negroes with "false and defamatory matter" in an advertisement soliciting funds for the defense of King in his recent perjury trial.

The Negro minister was acquitted Saturday of a charge of falsifying his state income tax returns.

Patterson's suit names The Times, King, the Rev. J. E Lowery of Mobile, the Rev F. L. Shuttlesworth of Birmingham, the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr., of Montgomery.

N.Y. Times Sued for Ad In Alabama

MONTGOMERY, Ala., May 30 (UPI)—Alabama Gov. John Patterson today formally filed a one-million-dollar libel suit against the New York Times and five Negro ministers in Circuit Court.

The suit claims a full-page advertisement in the Times March 29 was "false and malicious."

The ad solicited funds for the legal defense of Negro leader Martin Luther King Jr. of Atlanta, who was acquitted Saturday of perjury charges in connection with filing his 1956 state income tax return. The advertisement was signed by 60 prominent liberals, including Mrs. Eleanor Roosevelt.

The Negro ministers included in the suit are King, Fred L. Shuttlesworth of Birmingham, J. E. Lowery of Mobile and Ralph D. Abernathy and S. S. Seay Sr. of Montgomery.

Complaint's Charge

The complaint says the Times' ad accused Patterson of "improper conduct" which led to "public contempt, ridicule and shame, embarrassment, unjust criticism and prejudicing" the governor in his official capacity as chief executive.

The suit also claims the Times and the Negro defendants failed to publish a "fair and full retraction" of the advertisement.

The Times' published a letter from the governor May 16 and said in an accompanying story if the facts as stated in the ad were not true, the newspaper wanted to apologize.

The Times has employed an Alabama attorney to represent the paper and filed notice that it does not do business in the State of Alabama

Times Sued By Patterson For Million

Five Negro Leaders Also Are Named As Defendants

MONTGOMERY, May 30 — Gov. John Patterson today sued the New York Times and five Negro leaders for one million dollars.

Patterson charged that a recent full-page advertisement in the Times soliciting funds for the Rev. Martin Luther King Jr., subjected the governor to "public contempt, ridicule and shame."

King, now a resident of Atlanta, was named as a defendant in the libel suit along with the New York paper and four Alabama Negroes — the Rev. F. L. Shuttlesworth of Birmingham, the Rev. J. E. Lowery of Mobile and the Rev. Ralph D. Abernathy and the Rev. S. S. Seay Sr. of Montgomery.

The advertisement, seeking funds to pay King's legal costs for his recent perjury trial, bore the names of the four other Negroes along with several actors, clergymen and others prominent in public life.

King Found Innocent

A white jury Saturday found King innocent of falsifying his state income tax returns in 1956. He still is under indictment on a similar charge involving his 1958 returns. State's attorneys declined to say whether the other indictment will be tried.

Although he filed the suit as governor and ex-officio chairman of the State Board of Education, Patterson said he considered it also a complaint "in behalf of the people of Alabama."

He said if he receives a judgment, he will donate the money to the state "for the construction of a modern, well equipped nursing home for our needy old folks." His promise to use the money for a charitable cause came in a prepared statement accompanying the suit.

Retraction Rejected

The complaint filed in Circuit Court quoted two paragraphs of the Times ad which was published March 29. Although the newspaper later retracted those paragraphs, the governor said he did not consider it a "full and fair" retraction.

King was included as a defendant, although his name did not appear in the advertisement. The governor's office said he was brought into the suit because the ad was published in his behalf.

In its retraction on May 16, the Times said it took the paid ad as part of the normal course of business and that its content did not reflect the paper's editorial judgment or opinion.

Apology Is Printed

It said that by publishing the advertisement, it never intended to suggest a charge against the governor, and added:

"To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, the New York Times hereby apologizes to the Hon. John Patterson."

The advertisement spoke of racial conditions in Montgomery during recent student demonstrations and said the dining hall at Alabama State College was padlocked "in an attempt to starve" the students into submission.

College authorities denied that the dining room was padlocked.

Montgomery's three city commissioners also have sued the Times because of the same ad. They asked $500,000 each.

38a 1960

ALABAMA

NEW YORK TIMES
GOVERNOR JOHN PATTERSON FILES SUIT

Lawyer Contends Times Does Business In State

Birmingham Post-Herald
Birmingham, 6-9-60

MONTGOMERY, June 8 (UPI) — The attorney for three city commissioners suing the New York Times for libel contends "if a newspaper systematically gathers news in a state, it is doing business in that state."

Roland Nachman, attorney of Montgomery's commissioners who are suing the Times as a result of an advertisement soliciting funds for the legal defense of Martin Luther King Jr., made the comment at a hearing to determine whether the New York newspaper should be required to produce back issues of its paper.

Nachman contends the records are necessary to the attorneys for the city commissioners.

Circuit Judge Walter B. Jones took the matter under advisement and promised a ruling later this week.

Eric Embry, attorney for the Times, called the defense request for the newspapers "a fishing expedition." He said attorneys for the commissioners could find back copies of the paper in any library.

Embry also said the other documents requested by the commissioners' attorneys were "so vaguely described" the newspaper would not know what was required.

Embry said the fact that the Times prints news stories from Alabama does not mean it is doing business in the state.

Issue Of Back Issues Argued In New York Times Suit Here

The Montgomery Advertiser
Montgomery, Ala.
Wed. 6/8/60

Whether the New York Times should be forced to bring back issues of daily newspapers and other documents relating to advertising and other business dealings in Alabama was argued before Circuit Judge Walter B. Jones here Tuesday.

Roland Nachman, member of the legal firm of Steiner, Crum and Baker, representing Montgomery city commissioners in their libel suit against the New York newspaper, maintained the records were necessary to attorneys for the plaintiffs.

Eric Embry, representing the New York Times, called the request for documents a "fishing expedition."

LIBRARY COPIES

He argued that attorneys for the city commissioners could peruse copies of the Times at the local library and elsewhere. And he maintained that other documents were described so vaguely that the newspaper would not know what was required.

He specifically maintained that the New York Times was not doing business in Alabama by virtue of news stories emanating from this state.

"News stories about or relating to the place," he said, "are not doing business.'"

Nachman, on the other hand, argued that "We have the right to discovery."

He said that daily issues of the Times for more than three years were needed to show whether the New York paper had systematically engaged in gathering news from Alabama.

RULING PROMISED

"If a newspaper systematically gathers news in a state, it does business there," he said."

Judge Jones promised a ruling in the matter in "two or three days."

The suit against the New York Times was filed by Montgomery's three city commissioners following an advertisement that sought funds to aid integration leader Martin Luther King in his court defense against perjury charges here.

NEW YORK TIMES- RETRACTS
PUBLISHES APOLOGY

Times retracts part of King ad, apologizes

The New York Times today retracted statements made in a paid advertisement on March 29 by The Committee to Defend Martin Luther King and the Struggle for Freedom in the South.

The retraction came in an apology to Gov. John Patterson. It covered two paragraphs of the advertisement.

WHILE THE TIMES said it retracted the statements after making an investigation, it did not print whatever it found to be the true facts. It did reprint in full a letter from Patterson that repeated the original language of the paid ad.

The Times' story appeared on Page 22 of today's editions under a one-column headline reading "Times Retracts Statement in Ad."

The sub-head read: "Acts on Protest of Alabama Governor Over Assertions in Segregation Matter."

HERE IS THE TIMES' comment in the article:

"The advertisement containing the statements to which Gov. Patterson objects was received by The Times in the regular course of business from and paid for by a recognized advertising agency in behalf of a group which included among its subscribers well-known citizens.

"The publication of an advertisement does not constitute a factual news report by The Times, nor does it reflect the judgment or the opinion of the editors of The Times. Since publication of the advertisement, The Times has made an investigation, and consistent with its policy of retracting and correcting any errors which may appear in its columns, herewith retracts the two paragraphs complained of by the governor.

"THE NEW YORK TIMES never intended to suggest by the publication of the advertisement that the Hon. John Patterson, either in his capacity as governor or as ex-officio chairman of the board of education of the State of Alabama, or otherwise, was guilty of 'grave misconduct or improper actions and omissions.' To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, The New York Times hereby apologizes to the Hon. John Patterson therefor."

Alabama signers of the advertisement were the Rev. Fred L. Shuttlesworth of Birmingham, the Rev. Ralph D. Abernathy of Montgomery, the Rev. S. S. Seay Sr. of Montgomery, and the Rev. J. E. Lowery of Mobile.

The paragraphs of the ad retracted by The Times are:

"In Montgomery, Ala., after students sang 'My Country 'Tis of Thee' on the state capitol steps, their leaders were expelled from school and truckloads of police armed with shotguns and tear-gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to register, their dining hall was padlocked in an attempt to starve them into submission.

"Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home, almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for 'speeding,' 'loitering,' and similar 'offenses.' And now they have charged him with 'perjury'—a felony under which they could imprison him for 10 years."

Alabama Gov. John Patterson protested the advertisement and asked a retraction.

The Times printed the governor's letter dated May 9, asking the retraction and The Times' statement along with a list of names of the signers of the advertisement.

Governor Patterson objected to paragraphs which described Negro student demonstration in Montgomery, Ala., alleged police action concerning the demonstration and alleged mistreatment of Negro integration leader Martin Luther King.

The Times statement said, in part:

The . . . advertisement was paid for by a recognized advertising agency in behalf of a group which included among its subscribers well-known citizens.

. . . Since publication of the advertisement, The Times made an investigation and consistent with its policy of retracting and correcting any errors or misstatements which may appear in its columns, herewith retracts the two paragraphs complained of by the governor.

The New York Times never intended to suggest by the publication of the advertisement that the Honorable John Patterson, either in his capacity as governor or as ex-officio chairman of the Board of Education of the State of Alabama, or otherwise was guilty of 'grave misconduct or improper actions and omissions.' To the extent that anyone can fairly conclude from the statements in the advertisement that any such charge was made, The New York Times hereby apologizes to the Honorable John Patterson therefore."

The New York Times Publishes Apology

Action Follows Protest By Gov. John Patterson

NEW YORK, May 16. —(UPI) —The New York Times Monday published a statement retracting two paragraphs in an advertisement printed in The Times' March 29 issue concerning the committee to defend Martin Luther King.

"All the News That's Fit to Print"?—

The Birmingham News Birmingham Ala.

N. Y. Times continues attack...

7-14-15-60

EDITOR'S NOTE: Here is another article about racial matters in Birmingham and Alabama, written by Harrison E. Salisbury of The New York Times and printed in that newspaper April 9. The News is reprinting it as an example of what is being written and printed about this city.

* * *

BY HARRISON E. SALISBURY, Special to The New York Times

BIRMINGHAM, Ala., April 9—Under the corrosive impact of the segregation issue Alabama's political and social structure appears to be developing symptoms of disintegration.

The lines between legality and extra-legality are becoming blurred. The police force is not the only power frequently utilized to terrorize the citizenry, both white and Negro. The distinction between exercise of state power and mob power is being eroded.

In this crisis demands are raised more and more frequently for the conventional apparatus of the state—the educational system, the political machinery and governmental organs—to be dissolved, deliberately paralyzed or distorted beyond recognition.

Such proposals began with demands for the dissolution of the state educational system. Legislation to achieve this has been approved but not implemented.

BUT PROPOSALS have spread to the core of the state political apparatus itself. There is rising talk of dissolving county governments rather than permitting Negroes to play even a token role

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in them. There are proposals to substitute a convention system for the State Legislature rather than let Negroes sit in the same body with white men.

The integrity of the electoral system is being undermined by schemes under which electors named on the Democratic ticket would pledge themselves to work against the election of the Democratic candidate.

In this kind of political atmosphere there is little or no barrier to the growth and influence of organizations and movements dedicated to hate, intolerance and terror.

Since early March, when a Negro church demonstration nearly precipitated a blood bath on the steps of the Capitol at Montgomery, there has been a rapid spread through Alabama of a new extra-legal device, volunteer organizations of mounted deputies.

The volunteer horse patrols have appeared in five counties—Shelby, adjacent to Birmingham, and four so-called Black Belt counties. The Black Belt counties are a band of Central Alabama counties so called for their fertile black soil. They were the heart of the old cotton-slave-plantation economy and their legacy is the state's highest concentration of Negro population.

In one small Black Belt county seat, Selma, more than 500 special deputies have been sworn in. They provide their own horses and guns. The sheriff gives them badges. They are the rough equivalent of vigilantes of the Wild West days. One Alabaman who has watched the development closely expressed concern that the posses might assume the characters of legalized night riders.

"IN MANY OF the areas where the mounted units have been formed," this man said, "the only persons with horses and riding experience are the plantation men, many of them already members of night-riding organizations. This gives legal license to their activities."

Another observer, however, suggest[illegible] deputization of the riders might put them under some measure of control since violations of civil rights by law enforcement officers were subject to inquiry by the Federal Bureau of Investigation.

Ku Klux Klan groups, always an influence in Alabama, flourish in the present atmosphere. The burning of crosses as an intimidation of threat occurs daily in one locality or another.

There is little secrecy about membership. A Birmingham suburbanite readily points out the Klan members who live in his block. Their meeting place is well known in the community. Klan members have called openly on Gov. John Patterson in the Governor's mansion in Montgomery.

ACCORDING TO a reliable source, there are four principal Klan groups operating in the state. One, the "U. S. Knights of the KKK," is an organization with headquarters in Atlanta. Its Alabama branch is headed by Robert Shelton of Tuscaloosa. The "Dixie KKK," concentrated mostly in northeastern Alabama, is headed by Kenneth Adams of Oxford, Ala. The "Original KKK of the Confederacy," a newly organized outfit, leader unknown, functions largely in Montgomery and Birmingham, and the "Gulf KKK" has headquarters in Mobile.

Alabama has a law against the wearing of masks. However, the sight of the hooded, night-shirted klansman, often wearing a mask, is becoming familiar to Alabama citizens.

While Klan terror is directed principally against Negroes and against whites thought to have some sympathy with Negro aspirations, it also carries strong anti-Semitic undertones. Sometimes there are overtones.

In the opinion of a highly competent Jewish observer who has lived in the South most of his life, the Jew, rather than the Negro, is the most hated target of the extremist wing of the segregationist movement.

AFTER 16-YEAR-OLD Jerry Hunt tossed a fire bomb at a synagogue two weeks ago at Gadsden, Ala., and then opened up with a rifle on the congregation, a large number of crosses were burned in adjacent Calhoun County.

The Fayette County Times commented:

"Such a display is indicative of the belief that some people thought the youngster was right and it might be considered a 'warning' to those who would prosecute."

The Birmingham Jewish community was disturbed to read in a local newspaper sympathetic articles about the youth, describing him as a "clean-cut, crew-cut blond" youngster, devoted to his parents and his stamp collections.

Although evidence indicated the youngster had associates, none was apprehended. Last week he was admitted to bond and released. The presiding judge said he saw no reason to call a special Grand Jury in the case, which has been put over to July. There is skepticism in some quarters that the youngster will ever stand trial.

An open and active link between anti-Negro racism and anti-Jewish prejudice is provided by such men as retired Admiral John G. Crommelin, self-styled "white man's candidate" for public office. He calls Jews the real enemy of "white Christian Alabamians," asserting that they control the National Association for the Advancement of Colored People.

THE CROMMELIN viewpoint is deplored even by many violent segregationists. But it seems to have wider acceptance than many Alabamians will publicly admit.

A policeman investigating the attempted dynamiting of a Birmingham synagogue was asked if he did not think it a terrible thing. "It is bad all right," he replied. "But you have to admit that you Jews brought it on yourselves by encouraging the Negroes to integrate."

John Temple Graves, editorial columnist for The Birmingham Post-Herald, last week expressed probably a more widespread Alabama viewpoint on anti-Semitism. He wrote:

"Even if it made sense or were civilized or Christian or American anti-Semitism is simply too big and ugly a load for Southerners to carry with their already big and ugly Negro problem."

BIRMINGHAM'S LOUD-VOICED police commissioner, Eugene Connor, insists that he is just as opopsed to anti-Semitic activities as he is to the Negro rights movement. His men apprehended two young men with an old-fashioned hearse in which dynamite and anti-Semitic literature were found. They had parked beside a synagogue and told a Negro watchman they were going to blow the place up.

But the young men did not go to prison. They were freed on their own cognizance by the judge when the witness did not appear. Neither the witness nor the rabbi of the synagogue had been told the case was coming up.

It does not seem likely that the state structure of Alabama will actually disintegrate under the pressure of the situation. But the disintegrative pressures are severe and increasing.

If the federal registrar plan actually enables Alabama Negroes to vote in large numbers many Black Belt citizens are ready and willing to pull the whole state apparatus apart to thwart them.

Macon County in the heart of the Black Belt, with 84 per cent of its population Negro, has already obtained legislative permission to dissolve. It proposes to split itself among neighboring counties in order to prevent Negroes from winning control of it. The neighboring counties are not pleased at the prospect.

HOWEVER, IT IS NOT inconceivable that the whole county structure of the state might be modified in a gigantic gerrymander, or re-division of boundaries, to create stable white majorities in each county unit.

In the state as a whole the white population in this year's census is expected to be about 70 per cent, an enormous rise from the 54.7 per cent white population of 1900. But whites are greatly outnumbered in the Black Belt counties. In many of them, such as Greene (83 per cent Negro) and Wilcox (79 per cent Negro) no Negroes now vote.

Even if Alabama had the political will to achieve positive solution of its problems it would be badly handicapped by existing disfranchisement which affects whites almost as severely as Negroes.

THE STATE HAS not been legislatively reapportioned since 1901, in the interim there have been enormous population changes—the growth of the 600,000 metropolitan community of Birmingham, the enormous population increase in the Tennessee Valley Authority areas of North Alabama, the rise of Mobile and Gulf Coast industry and the exodus of both whites and blacks, particularly from the Black Belt counties.

In recent years Alabama has been lagging behind the population parade, barely holding even and failing to maintain the rate of increase of more politically viable and economically attractive regions.

This has produced extreme disparities in political power. The Black Belt areas with the smallest white vote have the greatest relative political weight. North Alabama and the metropolitan areas are almost as badly under-represented as the Negroes.

Jefferson County (Birmingham), with 600,000 population, has seven members of the state House of Representatives out of 106 for the state's total population of three million. Mobile and Mont-

gomery, with 500,000 population, have only three representatives each.

Even so, the Black Belt counties would not be able to maintain their stranglehold on state government and their retrograde influence on state policy were it not for a powerful ally, the big industry of Birmingham. The biggest of Birmingham's so-called "big mules" is United States Steel, whose subsidiary Tennessee Coal and Iron, dominates the city economically and to a considerable extent, politically.

THE "BIG MULES" and the Black Belt cooperate and, together, usually run the state. The long years of big-company dominance have stultified Birmingham's political development. The relationship between company and city is suggested by the local nickname for TCI's modernistic new headquarters building situated on a commanding ridge overlooking the great Fairfield steel works. It is called "Fort Wiebel" after Arthur Wiebel, the chief executive of TCI.

"So long as the alliance between the big mules and the Black Belt can be maintained," a Birmingham political observer said, "there isn't much chance for any change in the climate of Alabama politics."

But changes may be in the making. Alabama will lose at least one congressman in the redistricting that will follow this year's census. Gov. Patterson is threatening to use this as a whip to reapportion the Legislature. He has said he might allow the state to elect congressmen at large, giving them all to Northern Alabama because of the population concentration, unless the legislators agree to reapportionment.

This might set in progress positive political forces. Northern Alabama is far more liberal and progressive than the ultra-reactionary Black Belt. Or if the Alabama Negro actually got the vote (only 70,000 now vote) this could set in motion forces of change.

Whether either of these events could evolve quickly enough to spare Alabama the consequences of spiraling erosion of state power and state structure may be open to question. "Things will get better some day," a philosophical Alabamian said. "But first, I'm afraid they will get a lot worse."

BIRMINGHAM?

'A City Gripped By Fear, Hatred'

The Birmingham News, PRINCETON, N. J.

YOU GO NORTH to Princeton, storied, lvied manse of the intellect, a community you are told, largely Southern in some ancestry. But what hits you in the face is *The New York Times* of Tuesday, April 12, the day of arrival.

It is a gory mess, journalism. You have come North from the South, riding high and glorious in a winged silver bird aboard which they shove champagne at you before you attack filet mignon. The sky is clear; the clouds are slight; the sun shines, all's right with the world.

You pay off this fellow and that on the trip from Newark to Princeton (the railway porter will tote your bags at 35 cents per), and you must take two trains to make the 30-odd miles. There, at the place where Scott Fitzgerald whiled away his time before becoming the novelist Hemingway pouted at most, you find all the brown ivy intact, the kids walking around in snow white tennis shoes and looking as if knowledge was whipped cream.

YOU PASSED ACRES of dingy two-story houses, factories, overhead wires of one electrical sort or another; you have seen grime and wondered why somebody didn't do something about it.

But this impression disappears on the Princeton campus where all is orderly and neat and clean and windswept.

Still, you run into that *New York Times* story on page one of the historic journal in which Harrison E. Salisbury reports, the headline says that "Fear and Hatred Grip Birmingham."

You have just come from Birmingham and you do not know what Salisbury has in mind. You read his story and you still do not know.

Salisbury is a famous newsman, an ex-Moscow reporter for *The Times*. You have a feeling that he hasn't quite got home.

He notes that whites and blacks walk the same Birmingham streets, but that those streets, the water supply, and the sewer system are about all that the two races share.

YOU READ that every channel of communication, every bit of "middle ground" has been "fragmented," and that this is reinforced "by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus."

Telephones are tapped, Salisbury "reports," and whites and blacks don't talk "freely." Watchmen, Salisbury says, guard Negro establishments. Federally handled mail is stymied and "sometimes it does not reach its destination." The eavesdropper, the informer, the spy "have become a fact of life."

Salisbury says some Negroes have nicknamed Birmingham the "Johannesburg of America."

The business goes on. Businessman, says Salisbury, told him to watch how he reported. "Lives are at stake."

He fetches back to recall Roy Cohen and Florian Slappey stories, this to snipe and wickedly. He takes note of the Birmingham-Southern College situation, regarding students and the Negro problem, and he gives young student Reeves a martyr's halo. He cites a pair of Negro preachers picked up and the image Yankeeland gets is one of utter horror.

THIS REPORT from Jersey need go no further at this point. What this writer wants to ask of Salisbury is: Whom did you talk with? What Negroes and whites gave you this garish picture of a peaceable Southern community?

The reason for this prompt response, be it noted, is that on Princeton arrival we were told that among faculty members, this page one *New York Times* story was a hot topic of gossip.

This comes most inappropriately, when a conference of Southerners and others is beginning at this fine old school, discussing industrialization in the South.

It comes but a handful of days after the elected officials of Alabama raised questions about distorted charges in an advertisement in *The New York Times*—an ad sponsored by those who would defend the Reverend Martin Luther King against an accusation that he had committed perjury in connection with income tax returns. Salisbury may have made this trip. He may have talked with various Birmingham people. We say this though, and flatly:

OTHER NORTHERN newsmen have come South in this racial hegira. Virtually all have checked in with local newsmen to discover the sources of information.

These, invariably, have been offered. We have not seen Salisbury. If he was in Birmingham, he worked quite secretly.

Certainly he knew what he was out to get. He got it—or had it before he began writing.

Here we stand, at Princeton, ready with others to talk Southern industrialization.

But on page one of Tuesday's *New York Times* is a thrust which pictures a decent Southern community, perplexed as are many, with racial problems, as a city shot through with fear.

That headline says worlds: "Fear and Hatred Grip Birmingham."

This is the big lie. Perhaps the biggest of all. Salisbury has done his damage. Radio Moscow please copy. And, brothers and sisters, have no doubt they will.—E. L. HOLLAND, JR.

An editorial—

The Salisbury case

The Birmingham News
Birmingham, Ala.
Apr 5-8-60

THE CITIZENS OF BIRMINGHAM have read the Harrison Salisbury articles which appeared on the front page of The New York Times on April 12 and 13 and which were reprinted by The Birmingham News in full on April 14 and 15 in order that the people of this city and state might know the false and slanderous image of them circulated by an important Northern newspaper.

The News on May 4 also reprinted a statement which was prepared in Birmingham and which was published in The New York Times on May 4.

The latter statement was sent to The Times presumably to refute the Salisbury articles. If so, it completely failed of its purpose, because nowhere did it give the true facts about the many half-truths or outright misstatements contained in the Salisbury articles.

The News believes that the people of Alabama should have these facts.

On the same date that The Times printed the statement purporting to be Birmingham's "case," Mr. Turner Catledge, managing editor of The Times, printed a statement of his own in which, in essence, he defends his reporter outright.

In two particulars Mr. Catledge refers to omissions in Mr. Salisbury's articles.

The Times' managing editor said:

"The articles did not stress the obvious fact that an overwhelming percentage of the citizens of Birmingham lead happy and peaceful lives in a growing and prosperous community.

"Neither did they stress the fact that this substantial element of the citizenry deplores any lawlessness that may exist and is working in its own way to correct and reduce such tensions as do exist."

Not only did Mr. Salisbury not "stress" these two points, he omitted them entirely.

Called able, perceptive reporter

IN THE SAME STATEMENT Mr. Catledge terms Mr. Salisbury "one of the ablest and most perceptive reporters of The New York Times.

"Mr. Salisbury has a background of many years as an outstanding newspaper man. He was recipient of the Pulitzer Prize Award for 1955 for his reporting from the Soviet Union.

"The controversial articles were based on interviews and observations he made in Birmingham and other parts of Alabama over a span of 5½ days.

"Furthermore, he was aided in his researches by news items previously published in Alabama newspapers.

"The New York Times has every confidence that Mr. Salisbury reported the situation as he saw it through the eyes of an objective newspaper man. He did not go to Birmingham 'seeking sensationalism' or anything else but the facts in a situation that involved Birmingham as well as other cities. We are only sorry that his findings had to be unpleasant to anyone."

Interviewees remain anonymous

THE BIRMINGHAM NEWS DOES NOT doubt that Mr. Salisbury interviewed people and consulted newspaper clippings. But the interviewees all remain anonymous—though we know who some of them were.

Further, from every evidence at hand, his interviews did not represent a cross-section of the people of this community. In the bulk, we believe, they were with people who had some special grievance with conditions here.

The fact that Mr. Salisbury used clippings from Alabama newspapers is a specious cover-up and we believe that his managing editor, Mr. Catledge, an old hand at newspapering from Mississippi, well knows that injudicious use of such clippings can create impressions which are not true images of a situation or a community.

A reporter, in any city in the United States, can select clippings from its daily papers, ignoring all else, and write an article that does not truly reflect conditions in that city.

Abbreviated study gives incomplete picture

MR. SALISBURY'S EDITOR KNOWS, as any competent newsman knows, that it takes more than 48 hours study of any community with the complexity of Birmingham to learn enough to have any reasonable basis for a conclusion.

Birmingham does not resent and resist "outsiders'" reporting—this is a free land with a free press permitting any duly assigned man to go about and make inquiry. But this was single-shotting and it was single-shotting at its worst.

Birmingham is not unaware of "unpleasant findings," as Mr. Catledge refers to them in expressing sorrow that this was the result.

The city's residents in vast majority do not believe, however, that it is the historic policy of The New York Times to present "unpleasant findings" as a rounded picture. That is our point.

The New York Times can print stories about bombings, about series of bombings, about certain tensions that arise from time to time. Such have been reported to Birmingham and Alabama readers already. But the two Salisbury articles were couched in terms of "the whole picture," not just a report on some of Birmingham's problems.

Statement leaves image of blackness

MR. CATLEDGE CONCEDES that The Times did not "stress the obvious fact that an overwhelming percentage of the citizens of Birmingham lead happy and peaceful lives in a growing and prosperous community." This is in sharp contrast to Mr. Salisbury's kep conclusion—"every channel of communication, every medium of mutual interest, every reasoned approach, every incl of middle ground has been fragmented by the emotional dynamite of racism, reinforced by the whip, the razor, the gun, the bomb the torch, the club, the knife, and the mob, the police and many branches of the state's apparatus.

The Birmingham News

Such a statement could only leave readers of the distinguished New York Times with an image of utter blackness.

We know this was the reaction for on the basis of the two Salisbury articles, editors of newspapers in other sections of the country sent personal letters to this newspaper expressing sheer horror that this had come about . . . and asking why had secrecy prevented the "revelation" of this situation.

The citizens of Birmingham know that these are not the facts. that fear does not dominate their days and nights. They know that there are those who would violate the laws of the city, the state, and even the nation, just as there are those who violate such laws in every city.

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No mob rules Birmingham

EVEN THE MOST PREJUDICED, the zealot with the wildest eye, knows that "the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob" do not rule Birmingham. Mr. Salisbury could have found this out if he had taken the trouble to look at the entire community.

Remember, now, that Mr. Catledge admitted in his statement that the Salisbury pieces did not "stress the fact that an overwhelming percentage of the citizens of Birmingham lead happy and peaceful lives in a growing and prosperous community."

He said, too, but Salisbury did not, that this substantial element of the citizenry "deplores any lawlessness that may exist and is working in its own way to correct and reduce such tensions as do exist."

We contend that the "picture of Birmingham" could not have been objective and factual in The Times' report, according to Mr. Catledge's own admission, without this aspect of the community being fully and fairly reported along with the matters that Mr. Salisbury did report.

City distorted by sensationalism

IT COULD EASILY BE DEDUCED from Mr. Catledge's statement that The Times' report reached over into the field of sensationalism. Birmingham people were shocked as much by this apparent surrender of The Times to sensationalism as by the distortion that was presented of their city, its people, its problems and the manner in which the city was going about handling those problems.

Mr. Catledge said, "If in the further investigation The Times should find any statement in Mr. Salisbury's articles to be incorrect, or inaccurate in any respect, it will publish an appropriate correction."

The News invites Mr. Catledge to have his own Southern staff writers investigate the following items of "fact" presented in Mr. Salisbury's articles:

1. MR. SALISBURY SAID: "A drive is on to forbid Negro music on white radio stations."

SEE IF THIS ISN'T TRUE—This "drive" was a columnist's effort to substitute good music, Negro or white, for the "trashiest kind" of Negro music. In the same paragraph the originator of the "drive," Roger Thames, The Birmingham News radio-TV editor, said, "There is much Negro music that is good, some even fine—this is not an objection to Negroes' records per se."

2. MR. SALISBURY SAID: "Mail has been intercepted and opened. Sometimes it does not reach its destination."

SEE IF THIS ISN'T TRUE—That only one complaint involving any possible racial angle has been made to postal authorities in Birmingham in many years. That this single complaint, from the Rev. F. L. Shuttlesworth, involved three packages of third-class mail. That the Rev. Shuttlesworth was asked to bring the three packages to the postal authorities for further investigation, and failed to do so.

3. MR. SALISBURY SAID: "Dynamite attempts have been made against the two principal Jewish temples in the last 18 months."

SEE IF THIS ISN'T SO—That there have been no Jewish temple dynamite attempts in Birmingham in the last 18 months. That the only such attempt at Temple Beth-El occurred April 28, 1958, when this community was shocked by an unsuccessful attempt to dynamite the house of worship. The community raised thousands of dollars of reward for the arrest of the culprist.

4. MR. SALISBURY SAID: "Mr. Connor is the author of many widely quoted aphorisms. He once said, 'Damn the law—down here we make our own law'."

Seeks to enforce law, regardless of race

SEE IF THIS IS TRUE—That Commissioner of Public Safety Eugene Connor since taking office for his present term has fully sought to enforce all laws in the City of Birmingham in relation to all persons, regardless of race, creed or color. And that Commissioner Connor said in a public statement published about four weeks before Mr. Salisbury's visit to Birmingham—"this is to notify all citizens, white and Negro, that the City of Birmingham will not tolerate activity on the part of anyone, or any group, that will breach the peace or infringe on the rights of others. The Department of Public Safety will guarantee the rights of all citizens to go about their affairs in a normal and proper way."

5. MR. SALISBURY SAID: "Both he (Shuttlesworth) and his

wife were injured and a white pastor was badly manhandled by a Birmingham mob when the three of them sought to use the white waiting room of the local bus depot."

SEE IF THIS ISN'T TRUE—That neither the Rev. Shuttlesworth nor his wife was injured in any way. That the incident occurred at the Terminal Railroad Station and not a local bus depot. That the Rev. Shuttlesworth and his wife successfully sat in the white waiting room and boarded a train without molestation. That an unsuccessful minor white political candidate, and not a pastor, was the man who came in conflict with a white group outside the station.

6. MR. SALISBURY SAID: "For weeks Negro children had to go to school an hour early and were held in school an hour later so they would not come in contact with white children."

SEE IF THIS ISN'T TRUE—That Parker High School students (Negro) go to school 30 minutes LATER and leave school 30 minutes LATER as a means of relieving public transportation problems. And that this was done at the request of the Birmingham Transit Co.

7. MR. SALISBURY SAID: "That his (Connor's) man apprehended two young men with an old-fashioned hearse in which dynamite and anti-Semitic literature were found. They had parked beside a synagogue and told a Negro watchman they were going to blow the place up. But the young men did not go to prison. They were freed on their own cognizance by the judge when the witness did not appear. Neither the witness nor the rabbi had been told the case was coming up."

SEE IF THIS ISN'T TRUE—No dynamite was found in the hearse. The Negro watchman was present at the trial in which the two young men were given jail sentences of 180 days each, with the sentences suspended on condition they leave Birmingham.

There were other such statements as "telephones are tapped or there is fear of tapping."

Can Mr. Salisbury prove a case of "tapping?" Birmingham cannot disprove that one of its more than 200,000 telephones have not been tapped.

Yet Mr. Salisbury has written that all this means "the eavesdropper, the informer, the spy have become a fact of life."

Does Mr. Salisbury intend really to convey to the people of New York and the many readers of The Times over the land that Birmingham is so marked?

Injustice done by articles not rectified

THERE ARE VARIOUS REPORTS of attacks and violence. Certainly most have occurred. But they range over a period of some years. Telescoped, they put upon us an ugly stamp.

But we need not go on in such catalog. We sadly concede that The Times apparently does not want to put things in perspective.

The Times in its statements by Mr. Catledge and the Birmingham presentation, which Mr. Catledge did invite and which he did present in the columns of The Times as it was written, have not rectified the injustice done Birmingham by the Salisbury articles.

The statement published by The New York Times on May 4 made no attempt to point out to The New York Times readers the errors of fact, the half-truths and telescopic distortions enumerated above, which was the only reason for Birmingham to have a statement in The Times. The Birmingham statement did not in any way take advantage of the opportunity to refute the misstatements about the city before a national audience.

We repeat The New York Times, long in an enviable position to present the full record, remains derelict unhappily because it has not returned to the scene, and it has not been supplied through the Birmingham statement with a documented refutation.

There is a REAL story.

We hope that Mr. Catledge will exercise The Times' tradition and "get" Birmingham's real story—the balanced story, the full story that he points up in his own statement as to omissions from Mr. Salisbury's reports to The New York Times.

Alabama Systems Held Eroding

On Racist Precipice

By HARRISON E. SALISBURY

© New York Times News Service

Birmingham, Ala., April 13.—Under the corrosive impact of the segregation issue, Alabama's political and social structure appears to be developing symptoms of disintegration.

The lines between legality and extralegality are becoming blurred. The police force is not the only power frequently utilized to terrorize the citizenry, both white and Negro. The distinction between exercise of State power and mob power is being eroded.

In this crisis, demands are raised more and more frequently for the conventional apparatus of the state—the educational system, the political machinery, and the governmental organs—to be dissolved, deliberately paralyzed, or distorted beyond recognition.

Legislation Approved

Such proposals began with demands for the dissolution of the State educational system. Legislation to achieve this has been approved but not implemented.

But proposals have spread to the core of the state political apparatus itself. There is rising talk of dissolving County governments rather than permitting Negroes to play even a token role in them. There

Third in a series

are proposals to substitute a convention system for the State Legislature, rather than let Negroes sit in the same body with white men.

The integrity of the electoral system is being undermined by schemes under which electors named on the Democratic ticket would pledge themselves to work against the election of the Democratic candidate.

Horse Patrols Set Up

In this kind of political atmosphere there is little or no barrier to the growth and influence of organizations and movements dedicated to hate, intolerance, and terror.

Since early March, when a Negro church demonstration nearly precipitated a blood bath on the steps of the Capitol in Montgomery, there has been a rapid spread through Alabama of a new extralegal device, volunteer organizations of mounted deputies.

The volunteer horse patrols have appeared in five counties: Shelby, adjacent to Birmingham, and four so-called black-belt counties. The black-belt counties are a band of central-Alabama counties so called for their fertile black soil. They were the heart of the old cotton-slave-plantation economy and their legacy is the state's highest concentration of Negro population.

500 Deputies Sworn In

In one small black-belt County seat, Selma, more than 500 special deputies have been sworn in. They provide their own horses and guns. The sheriff gives them badges. They are the rough equivalent of vigilantes of the Wild West days. One Alabamian who has watched the development closely expressed concern that the posses might assume the character of legalized night riders.

"In many of the areas where the mounted units have been formed," this man said, "the only persons with horses and riding experience are the plantation men, many of them already members of night-riding organizations. This gives legal license to their activities."

Klan Groups Flourish

Another observer, however, suggested that deputization of the riders might put them under some measure of control since violations of civil rights by law-enforcement officers were subject to inquiry by the Federal Bureau of Investigation.

Ku Klux Klan groups, always an influence in Alabama, flourish in the present atmosphere. The burning of crosses as an intimidation or threat occurs daily in one locality or another.

There is little secrecy about membership. A Birmingham suburbanite readily points out the klan members who live in his block. Their meeting place is well known in the community. Klan members have called openly on Governor John Patterson in the Governor's mansion in Montgomery.

Has Law Against Masks

According to a reliable source, there are four principal klan groups operating in the state.

Alabama has a law against the wearing of masks. However, the sight of the hooded night-shirted klansman, often wearing a mask, is becoming familiar to Alabama citizens.

While klan terror is directed principally against Negroes and against whites thought to have some sympathy with Negro aspirations, it also carries strong anti-Semitic undertones.

In the opinion of a highly competent Jewish observer who has lived in the South most of his life, the Jew, rather than the Negro, is the most hated target of the extremist wing of the segregationist movement.

Bomb Tossing Cited

After 16-year-old Jerry Hunt tossed a fire bomb at a synagogue two weeks ago at Gadsden, Ala., and then opened up with a rifle on the congregation, a large number of crosses were burned in adjacent Calhoun County.

The Birmingham Jewish community was disturbed to read in a local newspaper sympathetic articles about the youth describing him as a "clean-cut, crew-cut blond" youngster, devoted to his parents and his stamp collection.

An open and active link between anti-Negro racism and anti-Jewish racism is provided by such men as retired Admiral John G. Crommelin, self-styled "white man's candidate" for public office. He calls Jews the real enemy of "white Christian Alabamians," asserting that they control the National Association for The Advancement of Colored People.

The Crommelin viewpoint is deplored even by many violent segregationists.

Court Upholds Park Desegregation Ruling

NEW ORLEANS, April 15 (AP)—A Federal district court decision forbidding segregated city parks in Montgomery, Ala., was upheld today by the U. S. Fifth Circuit Court of Appeals.

But it was a "Pyrrhic victory indeed" for the eight Negroes who filed the suit, the court said, since the court fight has deprived all citizens both white and Negro of public park facilities.

Montgomery's 11 white and five Negro parks were closed Jan. 1, 1959, shortly after the suit was filed, and have remained closed.

City Atty. Walter J. Kanabe in Montgomery, said the City Commission must decide whether today's ruling will be appealed further.

The Court of Appeals observed that Montgomery parks have been closed for more than a year "and there is no indication as to when, if ever, they will be reopened."

The district court's original decision outlawing segregation in city parks was modified slightly to give the lower court jurisdiction of the matter "for such reasonable long period as may appear to it advisable."

And the lower court was also empowered to remove an injunction against segregated parks "in the event it should appear that the defendants (the city) may be able to plan and act more effectively sa os to reopen and operate the parks within the framework of the constitution."

The city no longer has any ordinance requiring segregation in parks or other public places. It was repealed about a month ago.

U. S. Dist. Judge Frank M. Johnson Jr. said his court has no authority to order the city to operate parks, but said if they are reopened they must be integrated.

In holding the old city park segregation ordinance unconstitutionol, he said "the policy, practice, custom and usage" of denying Negroes access to white parks are in violation of the 14th amendment to the Federal constitution.

City officials contended the segregation practice became a moot issue when the city closed all its parks.

Segregated Parks Dealt New Defeat

City Pondering Next Legal Step As Appeal Denied

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City officials contended the segregation practice became a moot issue when the city closed all its parks.

The appeals court noted that Montgomery's parks are comparatively small in size. The largest, Oak Park, occupies some 40 acres.

"If public parks no larger than that are operated on a non-segregated basis, the probable breach of another right becomes imminent; that is, the right of each person to select his own associates," the court said.

"If the attempted operation of such small public parks on a non-segregated basis, without any advance planning, should result in the full use of all the parks by Negroes and their non-use by whites, then it cannot be anticipated that the city will continue to operate and maintain any parks.

"Without wise advance planning and considerable self-discipline and forbearance on the part of citizens of all races, it may be inevitable that the city of Montgomery for a long time in the future will be totally deprived of parks and recreational facilities."

"It is not the function of the court," the opinion said, "to suggest possible steps to avert that result. We can only call attention to the limit of the pertinent constitutional provision as construed by the Supreme Court. . .that it does not compel the mixing of the different races in the public parks."

The parks integration suit was filed Dec. 22, 1958 and the city closed all its parks nine days later.

Park Move Lost By Montgomery

Court Upholds Outlawying Of Segregation—Facilities Are Now Closed

By The Associated Press

NEW ORLEANS, April 15. — The United States Fifth Circuit Court of Appeals Friday upheld a lower court decision outlawing segregation in Montgomery, Ala., city parks.

The City of Montgomery appealed from a Federal District Court decision declaring unconstitutional the city's ordinance against Negroes using the parks.

Closed More Than Year

The court noted that Montgomery's city parks have been closed completely "to peoples of all races since Jan. 1, 1959—for more than a year now—and there is no indication as to when, if ever, they will be reopened."

The decision labeled such action "a pyrric victory indeed, for it comes at the expense of depriving all persons in the city of public park and recreational facilities."

The court modified the District Court decision outlawing the Montgomery segregation practice in parks to provide that "the District Court will retain jurisdiction of the cause for such reasonably long period as may appear to it advisable."

Can Remove Injunction

The decision also empowered the District Court to remove an injunction banning segregated parks "in the event it should appear that the defendants (the city) may be able to plan and act more effectively so as to reopen and operate the parks within the framework of the Constitution."

The court noted the city did not contend that enforced racial segregation was constitutional.

The Appeals Court opinion said Montgomery city parks are "comparatively small in size. The largest, Oak Park, consists of about 40 acres in the form of a square.

COURT PONDERS PARKS DISPUTE

Montgomery Case Argued in Appeals Tribunal

The United States fifth circuit court of appeals Tuesday took under advisement a case in which a group of Negroes seek desegregation of city parks in Montgomery, Ala.

Federal district Judge Frank M. Johnson Jr., in Montgomery on Sept. 9, 1959, issued a judgment that the city ordinance requiring white and Negro persons to use parks assigned to them was unconstitutional and enjoined the enforcement of the ordinance.

The city of Montgomery appealed the ruling on the point of law that the case is moot because the city closed all public parks beginning Jan. 1, 1959, after the Negroes brought suit to have them desegregated. Attorneys for the city claimed that testimony in the case bears out their contention that the city has no intention of reopening he parks.

Attorneys for the Negroes argued that it has been consistently held that even though illegal or unconstitutional conduct has been terminated, if the abandonment has been timed to anticipate suit and there is a probability of resumption, an injunction restraining a resumption of such conduct may appropriately be entered.

Negro 'Vote Herds' Feared By Governor

Chaos Seen If Registrar Plan Adopted

WASHINGTON (UPI)—Alabama Gov. John Patterson said today Negroes would be "herded together and marched in battalion formation to polling places" if Congress approves the federal registrar proposals.

Patterson said federal supervision of Southern voting registration would lead to a breakdown in the election machinery of states and cause "a widening of the breach between the races."

The young Alabama governor, testifying before the Senate Rules Committee, said there was no need for federal registrars in his state and that the "overwhelming majority" of the residents did not want them.

REMEDIES ALREADY EXIST

"Adequate remedies exist to protect each and every individual in his right to register and vote" in Alabama, Patterson said.

"I can truthfully say," Patterson added, "that I cannot recall a single instance where a Negro has filed an appeal under our state statutes claiming that he had been illegally denied the right to register."

Patterson said it would be a serious fault to enlarge the powers of the Civil Rights Commission. Under the proposed registrar plans, the commission would investigate complaints by Negroes.

"I can tell you," Patterson said, "that it would be practically impossible to get people to serve as election officials if they are dictated to, threatened and harassed by federal registrars and federal agents."

NEGRO VOTERS INCREASING

Patterson said the number of registered Negro voters in Alabama has increased not because, but in spite, of the Civil Rights Commission.

Earlier Sen. Herman E. Talmadge told the committee Atty. Gen. William P. Rogers ruled out federal supervision of registration and voting last year.

Talmade said that Rogers, as a witness before the House Judiciary Committee, indicated that retention of voting and registration records for three years was the extreme limit of federal jurisdiction.

The Georgia senator was part of a two-man assault from the state on the proposed federal registrar plan.

BLOCH PRESENTS SIDE

The other half was Charles J. Bloch, a Macon attorney recognized as one of the South's leading constitutional lawyers.

Bloch was named deputy assistant attorney general for Georgia to present the state's position before the Senate Rules Committee.

The committee has been holding intermittent hearings on five almost similar bills under which the President would authorize federal personnel to register Negro voters if local officials refused.

Neither Talmadge nor Bloch made any reference to the administration's federal referee plan. The administration plan is not under study by the committee but Sen. Kenneth B. Keating (R-N.Y.) has said he will try to combine the two programs when a committee bill is thrashed out.

Both Talmadge and Bloch insisted that existing laws provide ample protection against any registration or voting infringement.

"I challenge anyone to cite a single instance in which any person possessing the qualifications required by the law of his state and claiming infringement of his rights to vote has not received ultimate redress when taking his case into court," Talmadge said.

Referee Plan Under Attack By Patterson

WASHINGTON (AP) — Headed by Gov. John Patterson of Alabama, a group of southern spokesmen Tuesday strongly challenged the constitutionality of proposed bills to establish federal vote registrars.

The Southerners, including also Sen. Herman E. Talmadge (D-Ga) and Charles L. Bloch, deputy assistant attorney general of Georgia, testified before the Senate Rules Committee considering various bills to set up such federal vote registrars or referees.

Patterson said that if the bills were enacted the result would be chaos and bitterness between state and federal officials.

MANY STATES

Such law, he said, also "could well lead to a break-down of the election machinery in many states."

He urged that "before you resort to carpet bag registrars . . . before you resort to tactics of grinding us under the heel of the federal boot and before you wreck our election machinery, make them (Negroes) at least try to test their rights in our state courts."

Alabama law, Patterson said, provides adequate remedies for persons whose applications to register as voters are turned down.

RESORT TO COURT

"But they are not content to resort to the courts—they think that is too slow," he said. "They want to bring them in bunches, they want to get three million Negroes registered before the next election."

Patterson, like Talmadge and Bloch—the latter an expert on constitutional law—strongly challenged the constitutionality of the proposals.

Talmadge told the committee, headed by Sen. Thomas E. Hennings (D-Mo), that, constitutional questions aside, a grave implication involved is that of giving presidents sweeping powers to control elections.

CONTROL ELECTIONS

The power to appoint federal vote registrars, he said, is "the power to control elections" and that in turn means the power to control not only Congress but state legislatures.

"We can keep our country free if we keep our elections free," Talmadge said.

Bloch said the proposals would destroy the whole bill of rights.

Concentrating his criticism on proposals to set up a three-member federal elections commission to conduct elections where the commission feels the right to vote is infringed, Bloch said:

"The principle of this legislation, if established, would destroy our governmental system. It would inaugurate a new era in the American system of government and in the relations of the national and state governments."

Gov. Patterson Blasts Token Integration Okay By Wri...

By HERSCHEL CRIBB

Gov. John Patterson Thursday expressed "alarm" at the attitude of Columnist John Temple Graves on "token integration."

Graves in a recent column in the Birmingham Post-Herald, said:

"If keeping schools open requires token but not massive integration, I say (and Charleston Editor Tom Waring and many other Southerners are saying) the South should accept it, no matter how many politicians are committeed to an emotional bitter-end fight."

CLOSE SCHOOLS

Gov. Patterson has allied himself with such "bitter-end" attitudes. He has frequently said he will shut every school in the state rather than allow "a single Negro" child to go to a white school.

Thursday, speaking of Graves' view, Patterson said:

"That's all they want. Let one Negro in and they'll all come in."

"Bolting before the fight begins is not for me," he said.

Patterson also elaborated on his appearance this week before the Senate Rules Committtee in opposition to federal vote registrar and referee proposals.

He noted Dean Story of Southern Methodist Law School, vice chairman of the Civil Rights Commission, had said the commission found "substantial numbers of Puerto Ricans" were denied their right to vote in New York state.

But the governor quoted Dean Story as saying the commission made no recommendation on that because New York state courts were working on it.

"That's my point exactly," Gov. Patterson went on. "The procedure in every state should be to let persons test their right in state courts."

"I can't recall a single Negro in Alabama who has availed himself of this opportunity. Until they use this remedy, I don't think Congress should pass any bill."

'Insulting' Registrar Bills Lambasted By Gov. Patterson

Gov. John Patterson lambasted "carpet bag registrars" proposals before Congress yesterday, labeling them "unconstitutional, insulting and politically inspired."

Testifying before the Senate Rules Committee, he denounced six proposed Civil Rights voting bills that would "lead to chaos and bitterness," then launched an attack on the Civil Rights Commission in general.

The bills, according to Patterson, would give persons believing themselves denied voting registration because of race, religion, color or national origin the right to circumvent State Courts and seek redress through the President and "Federal Registrars" or a Congressional Elections Commission.

Usurpation Of Powers

"Such action," he said, "is a usurpation of the powers of the states by the Federal government" and "could well lead to a break-down of the election machinery in many states."

He explained that anyone believing themselves illegally denied voting rights may appeal to the Circuit Court within 30 days.

He could further appeal to the U. S. Supreme Court, Patterson said.

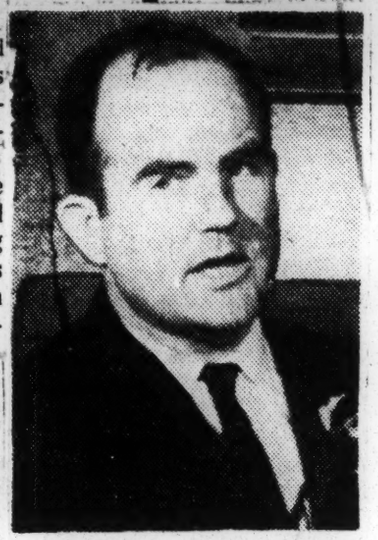
But, he said, "I can truthfully say that I cannot recall a single instance where a Negro has filed an appeal under our state statutes claiming that he had been illegally denied the right to register."

The Agitators

Drawing parallels between the Federal troops sent to Little Rock and to the South during Reconstruction days, he said the proponents—"the agitators"—of this legislation were only interested "in mass registration before the next election."

They seek, he said, to have the Negroes "herded together and marched in battalion formation to the polling places under the watchful eyes of 'Federal registrars'."

Ripping into the Civil Rights Commission, Patterson said it had "damaged race relations in the South and further injured the already strained relations between the states and Federal government.



CARPET BAG REGISTRARS'—Gov. John Patterson.

"Intimidated State"

"It harassed and intimidated our state and local officials. It's actions have made it difficult for us to find responsible citizens who are willing to serve as members of Boards of Registrars."

"Before you resort to the tactics of grinding us under the heel of the Federal boot," he wound up, "and before you wreck our election machinery, make them at least try to test their rights in our state courts."

Still "warm" over Civil Rights, Patterson later took the opportunity for a "dig" at Sen. Lyndon Johnson of Texas, a strong contender for the Democratic presidental nomination.

Still favoring Sen. John Kennedy (D., Mass.), he said that Johnson has promised to start pushing a Civil Rights bill through the Senate Feb. 15.

Carpetbaggers Will Not Help

Gov. John Patterson spoke for the great majority of Alabamians yesterday when he appeared before the Rules and Administration Committee of the U. S. Senate in opposition to Federal meddling with the election machinery of the states.

The proposals which have been made for appointment of "federal registrars" and extention of the investigative powers of the Civil Rights Commission are unwarranted further invasions of the right of all states and clearly in violation of the Constitution.

The governor denied allegations that Alabama law is not adequate for the protection of voting rights of its citizens, pointing out that under the Constitution a citizen may take any complaint he may have all the way to the U. S. Supreme Court.

That of course is as it should be.

"The Negro," the governor said, "is making tremendous progress in Alabama. I ask you not to enact laws which would retard his progress. . . ."

"Matters," he continued, "concerning race relations will never be solved by legislation, court decrees, injunctions, federal troops and federal registrars. They can only be solved through local people working together in a spirit of cooperation without outside interference and agitation."

Solution to this problem which has caused our people so much distress is as simple as the understanding of such facts.

A return to carpetbagger rule will result in nothing but further grief and racial friction.

No frills on new schools, Patterson says

MONTGOMERY, Ala., Feb. 6—(AP)—Officials who will supervise Alabama's multi-million dollar school building program agreed Friday on the main administrative procedures.

And they argeed with Gov. John Patterson that it would be wise to have centralized controls to keep the work going smothly.

A RESOLUTION was adopted by the Alabama Education Authority which will handle the financing giving the State Building Commission overall supervision of the planning and construction.

It was suggested to the authority by the governor who is chairman of the Building Commission. State Finance Director Charles Meriwether is chairman of the Education Authority.

Last year's Legislature approved a $100 million bond issue to finance new schools and created the authority to arrange for the selling and issuance of the bonds.

Although State School Supt. Frank Stewart was reluctant to go along the Building Commission voted to give H. E. Houk, the commission's technical director, the right to pass on architects for specific projects.

BUT THE GOVERNOR and others assured Stewart that Houk would cooperate with local school authorities and abide by their recommendations as far as possible.

Patterson said "centralized" direction of the spending of the bond money is necessary to assure "uniformity of standards."

He said by leaving the planning up to local school boards might be "the worst thing possible for this administration."

"I want to make sure we get a dollar's worth of school for every dollar spent," the governor added

PATTERSON SAID the people will get the most classrooms for their money if the buildings are planned to be "functional and without frills."

And to insure this, he said the state will have to be in on the school construction "from the planning stage on."

Under another resolution adopted, no local school board can enter into contract with any architect. Such contract will be executed by the Education Authority after the technical director or building commission approves his hiring.

The governor said if local boards could execute contracts prior to approval by the state agency "we would have no control."

STEWART SAID MANY communities are putting up large amounts of local money in matching funds and that the local boards might want more of a role in such cases.

Stewart asked for delay on the resolutions until he and Houk could confer at length.

But the governor said delay would balk plans to sell some of the school bonds at an early date, "something in ilseF S. S date, "sometime in the next several weeks."

It was agreed, however, that Houk and Stewart will work out procedures for getting the school building program underway.

Another resolution approved requires local boards to submit building plans, sites, and the order in which they want to construct the buildings.

GOV. JOHN PATTERSON
PRES. H. COUNCIL TRENHOLM

DR. TRENHOLM ASKS FOR CLEAR THINKING

The Montgomery Advertiser
Montgomery, Ala.
Sat, 2-27-60

The president of Alabama State College, Dr. H. Councill Trenholm, has appealed to his students to "think clearly" in the present situation and avoid "any type of further involvement."

The statement was prepared by Dr. Trenholm Thursday afternoon, duplicated on half sheets of paper and distributed Thursday night and Friday morning in college dormitories and classrooms.

The complete text:

"It has been brought to my attention as well as to the attention of the executive officers of the State Board of Education that some students of Alabama State College have been identified as participants in demonstrations downtown today. There is the expressed regret that students at this state-administered college may thus be involved in what may become labelled as an indiscreet and lawless act.

"There have been the press and radio releases this afternoon respecting the mandate of his excellency, John Patterson, who is also chairman of the State Board of Education. The college is necessarily subject to the orders of its governing board.

"Every member of the college family has the inescapable obligation to protect our college and to refrain from activities which may have a damaging effect upon the reputation and the relationships of our college.

"This brief statement of appeal is released in the hope that each of us will think clearly and have concern that there not be any type of further involvement by any identified student of Alabama State College."

Expel Negro Sitdowners, College Told

The Montgomery Advertiser
Montgomery, Ala.
Fri 2-26-60

Alabama State President Given Mandate In Governor's Office

By DICK HINES And BOB INGRAM

Under orders from Gov. John Patterson, Negro students of Alabama College who participated in a brief "sitdown" demonstration in the Montgomery County Courthouse snack bar Thursday face immediate expulsion.

The governor threatened to cut off state funds to the college unless immediate action is taken against any students who were among the 35 young men who fruitlessly demanded to be served at the facility. The snack bar is leased to a private operator and caters only to whites.

Dr. H. Council Trenholm, president of Alabama State, told The Advertiser he had "no alternative" but to comply with the governor's order.

The group of Negroes converged on the courthouse shortly before noon and asked for service. The establishment was immediately closed, thus thwarting Alabama's first Negro sitdown incident. Similar disturbances have erupted recently in several other Southern states.

Shortly after the incident at the courthouse Gov. Patterson summoned Dr. Trenholm to his office for a conference.

It was here that he threatened to withould state funds and also demanded a full scale investigation.

OUT OF FUNDS

"The citizens of this state do not intend to spend their tax money to educate law violators and race agitators and if you do not put a stop to it you might well find yourself out of public school funds," Patterson told the Negro college president.

Gov. Patterson earlier had called Dr. Trenholm and demanded that he expel any college students involved in the incident. And he added that if the "action is not taken to expel them by the college then I will call upon the State Board of Education to take such action.

Trenholm said he would comply with the governor's directives.

"I have no alternative," he explained.

Trenholm said Thursday night that an investigation had begun at the college.

He said the process of identifying the students from pictures made by state investigators had started there late in the afternoon.

P 12-A

Asked if the demonstrators would be punished Trenholm said: "We have to report on the investigation to the governor. There will have to be recognition of his statement. Punishment will presumably follow the investigation. I have nothing further to add at this time."

Names of two of the students were secured from Highway Patrol officers who stopped their cars to check driver's licenses.

They were Theophilus Moody, Box 161, Camden, Ala., who said he rooms at 302 S. Jackson St., and Johnathan Hicks of 1316 Hall St.

The Negroes refused to give reporters their names as they lined up in the corthouse corridor. They said they would return when the grill reopened and probably would be back in "larger numbers."

NO ADVANCE KNOWLEDGE

Trenholm said he did not have any advance knowledge the demonstration would take place but added that he had not "been able to establish" whether other faculty members knew of the sitdown plans.

Asked if he condoned the action, the college president said: "I can't condone breaking the law."

The sitdown hit Montgomery about 36 hours after the Rev. Martin Luther King, leader of the bus boycott here, had predicted in New York that the movement against segregated eating facilities would move into Georgia and Alabama soon.

Rumors had been circulating for several days that demonstrations might take place in the city this week and such officials as State Atty. Gen. MacDonald Gallion and Police Commissioner L. B. Sullivan said Thursday's outbreak was not unexpected.

However, most officials expected the targets to be lunch counters of department stores instead of a public building.

OCCUPIED 9 TABLES

Two city detectives, Jack Shows and C. W. Jones, were in the courthouse grill, located on the first floor, when the Negroes filed in and occupied about nine tables in the small room. The officers had been in court as witnesses earlier in the day.

Shows and Jones said they told the lunchroom operator, Mrs. Mary Pugh, to close it, and asked white patrons to leave. They said they also asked the Negroes to leave, but they refused.

Maury D. Smith, assistant circuit solicitor, also ordered the grill closed and the lights were cut off. The Negroes then filed into the hallway and one said:

"We're going to stay here until we eat. This is not organized but we're going to stay here until the shop reopens."

Some of the students said all they wanted was a cup of coffee. Asked if they could get coffee at the college, one replied:

"Sure, but we think we're American citizens and we like to shop around."

When the Negroes first emerged into the hall, city police on the scene said they would be arrested. But the police then turned the matter over to Sheriff Mac Sim Butler.

The sheriff addressed the group and said that since the courthouse was public property, they would be allowed to remain in the hallway as long as they stood against the wall and did not block traffic or cause disburbances.

Most of the students were dressed in coats and ties and carried college textbooks which some of them opened and read as they stood against the wall.

Three entered a rest room marked "White Men" across the hall.

A few curious whites came by and looked at the Negroes but no incidents took place which might have sparked violence.

The Negroes left the courthouse about an hour and a half after they arrived. They walked south on Perry street and some got into cars while others continued walking.

Two of the cars were stopped by Chief Joe Smelley and Capt. Billy Bishop of the Highway Patrol. They checked licenses of the drivers and let them go.

Throughout the afternoon, tension spread along Dexter avenue as rumors spread that other sitdown attempts might be made in department stores along that street.

Waitresses and customers at the store lunch counters glanced about frequently as if expecting Negro groups to arrive but no incidents materialized.

2 Newsmen Blocked From Entering Grill

The bureau manager for United Press International and Advertiser-Journal Staff Photographer Tom Davis were prevented from entering the courthouse snack shop Thursday when 35 Negroes staged their sitdown demonstration.

Deputy Sheriff H. F. Phelps, according to Davis, threatened to transport the photographer to the jail on the fourth floor of the building if he persisted in trying to make a picture of the Negroes sitting at the tables in the lunchroom.

Martin was physically tugged away from the closed door of the snack shop by the proprietor, Mrs. Mary Pugh. Martin said she grabbed him by the shoulder and arm and shouted, "You can't go in there. Get out of here, you newspaperman."

When asked what her name was she replied, "I don't have to tell you anything."

Davis quoted Pehlps as saying, "If you snap a picture here, I'll transport you to the fourth floor myself."

The brief scuffle with Martin was the only disturbance at the protest demonstration.

Law enforcement officials were cooperative with newsmen once the original confusion of the situation was past.

38a 1960

ALABAMA

GOV. JOHN PATTERSON
PRES. H. COUNCIL TRENHOLM



SHERIFF MAC SIM BUTLER STANDS GUARD OVER DEMONSTRATORS
. . . Ordered Negro students to keep hall clear or face arrest

Over vote case—

Negroes stage mass protest at Capital

The Birmingham News
Birmingham, Ala.
Mr. 3-26-60

BY ALLISON STANTON, News staff writer

MONTGOMERY, Ala., Feb. 26—Several hundred Negro college students appeared today for the trial of one of their number on a perjury charge.

Their arrival at the Montgomery County Courthouse at first appeared to be an attempted renewal of yesterday's sitdown demonstration in the now-closed Courthouse lunchroom.

YESTERDAY'S demonstration brought a threat from Gov. John Patterson that state funds for Alabama State College for Negroes would be cut off if it was renewed.

Patterson called for expulsion of the students involved in the sitdown and R. Councill Trenholm began an investigation. He promised a report to the governor during the day.

Several Negro students, in reacting to the expulsion demand, said they would seek enrollment at other state colleges if expelled. Alabama has another college for Negroes at Normal, Ala., near Huntsville.

About 35 young Negro men, identified as college students sat down in the privately-operated lunchroom in the Courthouse yesterday. When it was quickly closed they lingered outside in a hall and then left.

There were no arrests.

THE NEGROES appearing today said they were on hand to "show our allegiance" to Harold Stoutermire. He pleaded guilty to an attempt to commit perjury in registering as a voter and was fined $100 and costs.

After that his fellow students left quietly.

LATER, ALL the Negroes left the courthouse and headed back to the college about two miles away, walking two abreast. At one intersection, a student was arrested by city police for walking against a red light.

An officer handed him a ticket with instructions to pay the fine or appear in court. The student, who refused to give a reporter his name, said he planned to pay the money.

On the march back to the campus some chanted, "If we can't go to Alabama, we go to Auburn."

Restaurants at the State Capitol meanwhile took steps to bar Negroes in the wake of the attempt to eat at the Courthouse lunchroom.

ARMED GUARDS were posted at each entrance to the State Highway Department building where state employes operate one cafeteria.

Doors to the lunchroom at the main Capitol building and at other employe operated eating places in the Capitol also were guarded.

Signs outside each cafeteria notified customers that no one but state employes would be admitted, and then only by showing identification cards.

CITY AND COUNTY police and highway patrolmen, some equipped with walkie-talkie radios, patroled other state office buildings.

All resturants are administered by the State Employes Assn.

In another development, a sign was nailed to a tree in a residential section of Montgomery urging white persons to discharge all Negro workers.

A sprinkling of signs appeared in the windows of eating places, stating the operators reserve the right to refuse to serve anyone.

MONTGOMERY HAS a city ordinance prohibiting whites and Negroes from being served together in public dining places unless a partition and separate entrances are provided.

Atty. Gen. MacDonald Gallion disclosed that such an incident had been anticipated in Alabama.

"We had conferences with the proper officials, both in Montgomery and Birmingham," he said. We have plans already laid.

"We have given considerable thought in advance to everything we could conceive that would arise," he said.

Gallion did not disclose the plans.

MAYOR EARL JAMES, while pledging efforts to preserve the peace, warned Negroes that "the tempers of the white citizenry of our city is being pushed to a point beyond their power to control."

Police Commissioner L. B. Sullivan promised to "enforce existing laws and take whatever action is necessary to suppress agitation and prevent violence."

The latest in the South's series of lunch-counter demonstrations came in the city where Negroes staged a year-long boycott that ended in desegregation of city buses four years ago.

More recently Negroes sought to integrate Montgomery's public parks, but the facilities were promptly closed and have remained so for more than a year. U. S. District Judge Frank M. Johnson Jr. has ordered them integrated if they ever reopen.

Earlier this month Negroes petitioned the Civil Aeronautics Board in Washington to order integration of the Municipal Airport's waiting room, restaurant and restroom facilities.

A STATEMENT DESCRIBED as issued on behalf of the demonstrators said in part:

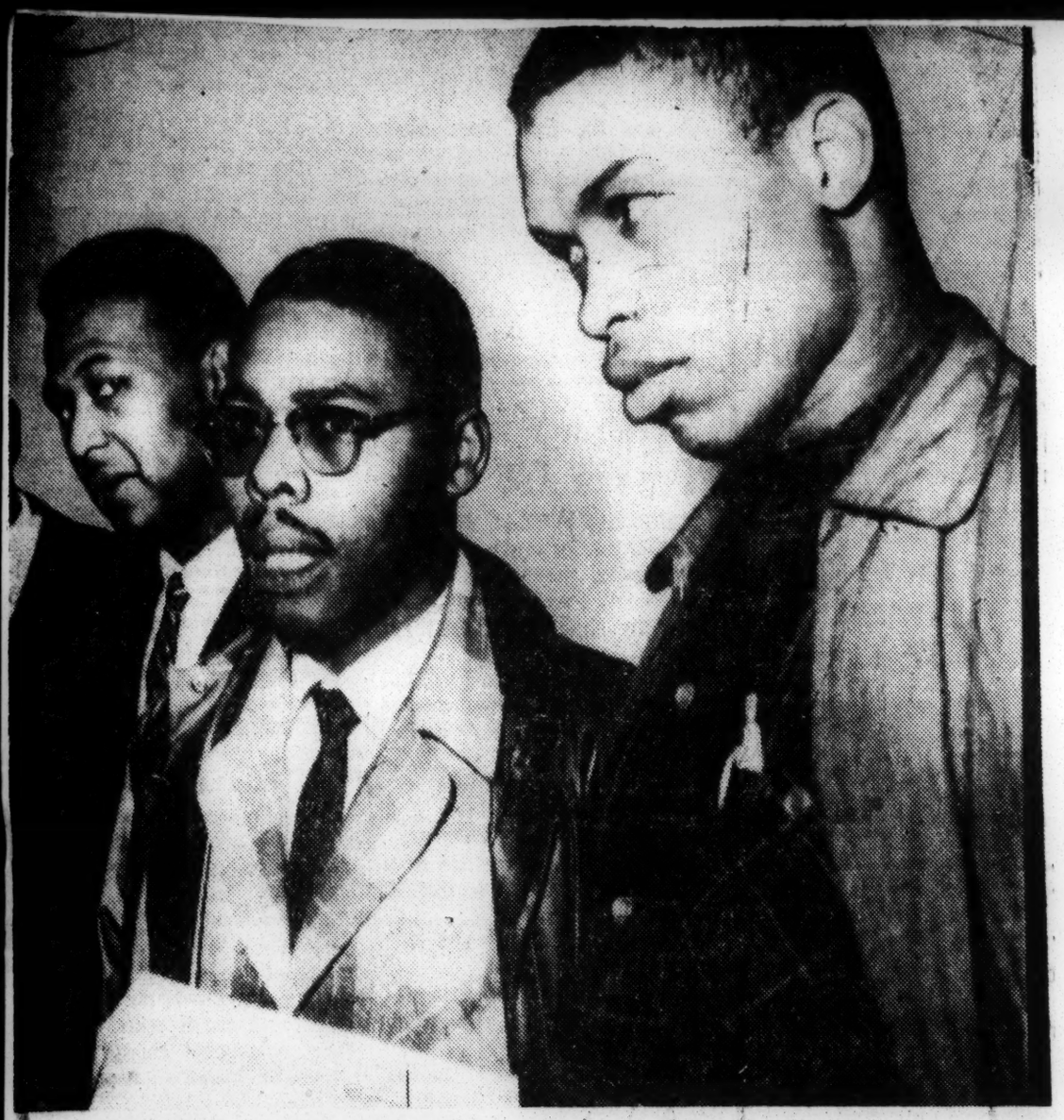
"Ours is definitelv a movement of non-violent resistance.

"We hold no hate or bitterness for those who oppose us. We only wish to gain our rights as guaranteed by the federal Constitution and the Bill of Rights. All we did was request some food service in a public building which was built by the taxpayers' money."

The statement said the demonstration came without knowledge of college officials.

THE STATE-SUPPORTED institution is a four-year liberal arts and teacher education school.

Dr. Trenholm, who has been president for 35 years, said most of the students are preparing for teaching careers.



TROUBLE IN MONTGOMERY—A Negro reads his college textbook while participating in a sitdown protest at the courthouse in Montgomery. (UPI Telephoto).

Take Action, College Told By Patterson

Negroes Force Grill At Montgomery To Close Its Doors

FROM PRESS REPORTS

MONTGOMERY, Feb. 25 — Negro college students tried to eat at the all-white courthouse restaurant here today, and Gov. John Patterson demanded their expulsion from school.

The privately-operated grill in the courthouse basement closed for the day when the Negroes, numbering about 35 walked in shortly before the lunch hour rush and asked to be served.

They were ordered outside when the lunchroom doors were closed, but were allowed to remain quietly in the corridor. No arrests were made, although city police at one time started to take them into custody. They were turned over instead to Sheriff Mac Sim Butler.

The sheriff said no charges would be filed as long as there was no disorder or unless the Negroes blocked traffic in the hall.

After about an hour of waiting in the corridor, the Negroes left the building.

There was no violence.

It was the first such "sitdown" to occur in the Deep South states of Alabama, Georgia, Mississippi or Louisiana since protests against lunch counter segregation began in the Carolinas, Tennessee and Virginia three weeks ago.

Violence has occurred in Portsmouth, Va., and Chattanooga, Tenn., and mass arrests were made in Portsmouth, Raleigh and Winston-Salem, N. C., and Richmond, Va.

Students Warned

The woman proprietor of the Montgomery Courthouse snack shop warned the Negro students they would be charged with trespassing. Alabama law prohibits whites and Negroes from eating together in public or private places. A courthouse official said the Negroes violated the law by asking to be served doughnuts and coffee in the snack shop.

The Negroes indicated the protest was spontaneous and was not organized or directed by any outside group. But a Highway Patrolman taking pictures of the students said "We want to get all the background we can on this. We want to find out who they are and what they do."

Montgomery has a city ordinance which prohibits integration in eating places. The courthouse grill since its opening has served only white customers. A sign on the wall says the management reserves the right to refuse service to anyone.

Although it is located in the courthouse, the restaurant is leased to a private operator.

Expulsion Ordered

Patterson instructed President H. Councill Trenholm of Alabama State College for Negroes in Montgomery to expel any student found to have taken part in the demonstration. The Negroes at the courthouse, most of them carrying textbooks, told reporters they were students at the college.

The governor directed Trenholm to make a full investigation and to make a report to him.

If any of the demonstrators are identified as students at the state-financed college and no action is taken to expel them, Patterson said he would call on the State Board of Education to take such action. The board supervises the Negro school.

Alabama Atty. Gen. MacDonald Gallion said he had anticipated such demonstrations because of similar protests against restaurant segregation in other Southern states.

"We have given considerable thought in advance to everything we could conceive that would arise," the attorney general added.

Police Commissioner L. B. Sullivan said his department has been instructed to take "whatever action that is necessary" to prevent a second sitdown strike here.

"We do not intend to permit outside forces to create, provoke or otherwise incite any racial incident here in our city," Sullivan said in an official statement.

Will Enforce Laws

"The Montgomery Police Dept. is under instructions to enforce existing laws and to take whatever action that is necessary to suppress agitation and prevent violence.

"I have been in constant contact with Mayor Earl D. James who was out of the city at the time of the incident this morning (James was addressing a civic club meeting in Anniston) and I want to assure the citizens of Montgomery that we are prepared to take whatever action that might be necessary to maintain and preserve the time-honored traditions and customs of the South.

"I would like to suggest to the Negroes of Montgomery that they examine very closely the motives of local Negro trouble-makers and outside agitators and determine if their intent is to serve any useful purpose or merely to secure publicity for their own personal gain and financial interest, as has been done in the past," Sullivan said.

The police commissioner said "it is the sworn duty of our office to protect all persons from injury to their person or property. This we intend to do to the very best of our ability."

Two city detectives, Jack Shows and C. W. Jones, were in the grill when the Negroes entered. The officers had been in court as witnesses earlier in the day.

Shows and Jones said they told lunchroom operator, Mrs. Mary Pugh, to close it, and asked white patrons to leave. They said they also asked the Negroes to leave, but they refused.

Later, after the grill was closed, the Negroes were ordered out into the hall.

Sheriff Butler ordered them to stand against the wall as long as they remained in the corridor, warning them to stay there and refrain from blocking traffic in the hall.

The Negroes refused to give reporters their names. They said they would return when the grill reopened, and probably would be back tomorrow "in larger numbers."

Only Wanted Coffee

Some of the students said all they wanted was a cup of coffee. Asked if they could get coffee at the college across town, one replied:

"Sure, but we think we're American citizens and we like to shop around."

The Negro president of the Montgomery Restoration and Amelioration Assn., the Rev. Uriah J. Fields, said he averted an unorganized sitdown protest by Negroes at a lunch counter in downtown Montgomery yesterday. He said about 45 Negroes planned a "quiet sitdown" at several white lunch counters.

Fields said he negotiated with the group to stop the protest because it would have led to violence. He said his group, formed to counteract the Montgomery Improvement Assn., which spearheaded the bus boycott, "neither condemns or condones" the protests which has spread through Dixie.

38a 1960 ALABAMA

PRAYER, SINGING SERVICES THWARTED AT CAPITOL
MONTGOMERY, ALABAMA (HELD AT DEXTER AVE. CHURCH



Negroes began their abortive march from Dexter Avenue Baptist Church to the Capitol. Moments after this picture was taken the Negroes were forced to retreat to the church. Leading the Negro march was the Rev. Robert E. DuBose Jr. (in black and white robe), pastor of the Good Shepherd Episcopal Church. Standing on his right is the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Assn. Rebuffed in their efforts to reach the Capitol, the Negroes returned to the church (in background) for a prayer meeting and hymn singing.—**Photos by Don Patterson, Horace Cort.**

Police Thwart Negro Services At Capitol

Whites Held At Distance By Officials

More than 400 law enforcement officers, some mounted on horses, frustrated a Negro attempt to hold prayer services on the State Capitol steps Sunday afternoon.

The Negroes made an attempt to advance up Dexter avenue toward the Capitol but were turned back by city policemen while other law officers held at a safe distance a throng of white people estimated at 5,000.

Thwarted in their attempts to reach the Capitol the Negroes retreated to the Dexter Avenue Baptist Church where they held an hour-long prayer meeting and hymn singing in protest to expulsion of nine students of Alabama State College involved in a lunch counter sitdown.

ADVANCING THRONG

Except for one incident when the Negro leaders were pushed and shoved by the advancing throng of whites, there was no violence. The small army of law officers on the scene—uniformed and reserve city police, members of the county sheriff's department and Highway Patrolmen—kept the crowd well back from the church.

Two city fire trucks were rushed to the scene and firemen made ready to hose down any demonstrators on either side. The hoses were coupled to hydrants but were not used.

The march to the Capitol steps had been announced Friday night by the Rev. Ralph D. Abernathy as a protest by the "adult Negro community" to the expulsion of the Negro students. However, the Negroes who marched to the church Sunday were for the most part Alabama State students. The turnout of Negroes was estimated at no more than 750.

EXTRA TROOPERS GUARD MANSION

Extra Highway Patrol guards were placed around the governor's mansion Sunday night as the result of a threatening telephone call. Public Safety Director Floyd Mann said he assigned the extra guards after an anonymous telephone call stating that a group of Negroes who attended a protest meeting at Dexter Avenue Baptist Church were "planning to bomb the mansion."

It appeared that a majority of the huge throng of whites which jammed the sidewalks and Dexter Avenue from the church to the Capitol were more curious than belligerent.

However, many of the whites standing along Decatur between the Highway Department Building and the Negro church jeered the Negroes as they walked to the church. Many of the whites yelled and hooted as the Negroes, some of them forced to stand on the steps of the church as there was no room inside, sang hymns.

The arrival of the fire trucks, coupled with the unexpected appearance of the mounted deputy sheriffs, had a sobering effect on the crowd outside the church.

White people—including women and even small children—began arriving at the Capitol at noon. The Negroes began filing in later some coming in alone, others in groups of 10 or 12.

ONE AT TIME

Apparently the plan was for the Negroes to meet first at the church—which formerly was pastored by Dr. Martin Luther King Jr.—and then move to the Capitol.

The convening at the church, scheduled for 1:30 p.m., was delayed due to the late arrival of the Negroes. City police at intersections nearby were permitting only one Negro to cross the street at a time. This was apparently aimed at dispersing any large crowd of Negroes passing through the white throng.

The Negroes made the abortive move toward the Capitol shortly after 2 p.m. The pastors, all carrying Bibles and some dressed in robes, were at the head of the column.

Police officers rushed across Decatur and confronted them, shouting "get back, get back." At the same instance the white people began moving toward the Negroes.

Police Capt. D. H. Lackey dented the column of advancing Negroes by throwing a body block at the leader, the Rev. Robert E. DuBose Jr., pastor of the Good Shepherd Episcopal Church.

STUMBLED, FELL

The officers then pushed the Negroes back toward the church steps. One Negro stumbled on the curb and fell and an unidentified white man rushed up and sought to kick him but was restrained by a policeman.

It was then that the law enforcement officers moved in and gained quick and firm control of the situation.

Police Commissioner L. B. Sullivan, Sheriff Mac Sim Butler and Public Safety Director Floyd Mann were at the scene directing the officers under their command.

Moments after the Negroes had retreated to the church the officers began urging the white crowd to clear the streets and disperse. The mounted deputies were particularly effective in moving some of the reluctant whites away from the church and out of the streets.

Sullivan, Mann and Butler then began urging the crowd through portable loudspeakers to disperse and go home. Slowly the crowd began to scatter and only then did the Negroes begin leaving the church in groups of 12 or less.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH

PHOTOGRAPHER ARRESTED

During the brief congestion near the church steps a photographer for The Advertiser, Charles Moore, was arrested on a charge of failing to obey the order of a policeman. He was released a short time later on $100 bond.

Gov. John Patterson watched the demonstration from his office at the Capitol but made no comment on the affair. He left his office shortly after police had dispersed the crowd.

Most of the law enforcement officers had first been stationed near the Capitol, with a cordon of Highway Patrol completely surrounding the building. Many of these were later transferred to the church area when the white crowd turned its attention in that direction.

meeting of 500 area Negroes at the church.

Lowry said four Negro demonstrations at white lunch counters here last week were "to show that we are humans and entitled to be treated as such."

He suggested that boycott tactics be considered against business firms which treat Negro customers differently than they do white people.

The Ku Klux Klan meanwhile put in an appearance at a public park for whites, where Negroes had been rumored planning to demonstrate.

Three automobile-loads of unhooded klansmen visited the park, walked around, saw no Negroes and departed. Police reported no disorder.

Registration Today; Walkout Threatened

Monday is registration day at Alabama State College and officials were waiting to see whether the threatened student walk-out will materialize.

A high college official told The Advertisrer Sunday night that many students had been intimidated against re-registering by the promoters of recent anti-segregation agitation at the college.

"Some are directly caught up in it, and others have been intimidated by those who are promoting it. They have to follow it—probably against their better judgment. And this will, subsequently, affect registration," the official said.

He said registration for the winter quarter at the college was 1,900. Registration for the spring term usually is less than winter registrations.

"We shall know by the middle of the week what the total registration and re-registration is," the official said.

Tampa NAACP Orders Boycotts Contined

TAMPA, Fla. (AP) — The president of the Florida branch of the National Assn. for the Advancement of Colored People (NAACP) called Sunday for Negroes to continue demonstrating and consider business boycotts to end discrimination.

The Rev. A. Leon Lowry, NAACP head and pastor of St. Paul's African Methodist Church, made his recommendation to a

38a 1960 ALABAMA

MISS EMILY WHEELOCK REED
STATE PUBLIC LIBARARIES DIRECTOR

Miss Reed Resigns After Long Dispute

Birmingham Post-Herald

MONTGOMERY, Jan. 10 (UPI)—A children's tale about a black rabbit who fell in love with a white rabbit apparently caused the resignation of the State Public Libraries Director in segregation-conscious Alabama.

Miss Emily Wheelock Reed, who was bitterly criticized because the book, "The Rabbits' Wedding," was allowed on general circulation shelves, has resigned effective April 21. However, she vacates her position March 1 to become a library consultant in Washington, D. C.

The picture book, for children between two and five, portrays the courtship and wedding of a black rabbit and a white rabbit.

Author Comments

Garth Williams, who authored the book for Harpers & Brothers, said the book "was written for children from two to five who will understand it perfectly. It was not written for adults who will not understand it is only about a soft furry love and has no hidden message of hate."

The author and illustrator said he colored the rabbits black and white to differentiate between the characters. "I was completely unaware that animals with white fur were considered blood relations of white human beings."

The criticism of Miss Reed was led by State Sen. E. O. Eddins who said the book was propaganda for integration and interracial marriages.

During the long squabble over the book, Miss Reed said she was "surprised" at the interpretation of the rabbits' coloring.

"Personally I like the book," she said, but she directed state librarians to place the book on the reserve shelves "due to the troubled times in which we live."

Withstands Ban

The librarian withstood all demand to ban the children's tale because "it would not be morally right." She said putting the book on the reserve shelves did not prohibit anyone from reading it because they could get it by asking for it.

The senator's criticism gave way to other criticism of both the state library system and its director.

The Montgomery Home News, a weekly publication of the Montgomery Chapter of the Citizens Council, said the book "was not in stock at privately owned book stores in Montgomery. It is only being supported by the tax-supported State of Alabama Public Library System."

Blast Renewed

The controversy over the children's book had no soonner died down than Eddins again blasted Miss Reed—this time for distributing a list of "notable books" which included "A Stride Toward Freedom" by the Rev. Martin Luther King Jr., Negro integration leader who spearheaded the successful drive to integrate public transportation in Alabama's capitol city.

The controversy also led to Eddins' sponsoring unsuccessfully a measure to give the State Library Board broader powers in selecting a library director. The Demopolis senator denied however that the bill was aimed at firing Miss Reed.

Miss Reed, in her letter of resignation, said she enjoyed working in Alabama despite "many difficulties. There have been so many stimulating, pleasant and heart-warming contacts and experiences."

The State Library Board appointed Mrs. Elizabeth Parks Beamguard, a liberary field representative, to replace Miss Reed.

Pressure Denied By Library Chief

Birmingham Post-Herald

MONTGOMERY, Jan. 11 (UPI)—The director of Alabama's public libraries declared today she was not under pressure to resign because of her refusal to ban a children's picture book depicting the courtship of a white and black rabbit.

However, Miss Emily Wheelock Reed admitted she was taking a cut in salary to accept a job as a library consultant in Washington, D. C.

"I was not asked to resign and I feel my library board was genuinely sorry to hear about my resignation," she said. "No one had ever spoken to me about resigning."

Miss Reed refused to identify her new employer, but said it was not the Federal government. She admitted the new position would pay "a little less" than the $7500 a year she made as state library director.

Miss Reed, who has been library director since September, 1957, said she decided to leave the state last Fall after "I felt the controversy over the book had died down."

Officers Alerted To Quash Riots At Montgomery

MONTGOMERY, Ala., May (UPI) — Law enforcement officers, drilled in riot-smashing tactics, have been alerted to quash any pro-integration demonstration here Tuesday — the sixth anniversary of the Supreme Court decision outlawing segregation.

Police Commissioner L. B. Sullivan issued the alert because there are, at present, unsubstanantiated rumors afoot to celebrate the anniversary of the date of the Supreme Court ruling opening the way to integration of the races.

Commissioner Sullivan said we have no intention of relaxing enforcement of our laws in any way that would tend to disturb the peace and tranquility of our city. Our responsibility is that of protecting the life and property of our citizens and with that responsibility, we plan to continue to take action whenever the circumstances require.

"In view of the position taken by this office and other enforcement agencies, I would again like to remind local people, both white and colored, as well as people from out of the city or state that we do not intend to tolerate parades, congregations or demonstrations in a manner that would tend to incite racial disorder."

The commissioner added all affected law enforcement agencies have been alerted and as usual we will be prepared for the worst and are hoping for the best."

Montgomery lawmen, along with others from throughout the state, are going to school here to learn ways to cope with civil disturbances. The top brass in the Highway Patrol and the City Commission want to train a minimum of 170 men in riot-smashing.

State officials hope the finished product of the month-long training program will be a well-trained riot control squad which they said could be assembled and placed at a riot scene in little more than an hour.

The state officials said Alabama was probably the first state in the South to train such a squad "although one is needed in every state."

Second class of riot police end training

MONTGOMERY, Ala., May 7 (UPI)—Picked squads of highway patrolmen, police and firemen are being trained for riot duty in Alabama.

The second of four classes graduated Friday after a week of training at the Highway Patrol Training School in Montgomery.

FORTY OFFICERS received diplomas at ceremonies supervised by state Public Safety Director Floyd Mann and attended by Montgomery Police Commissioner L. B. Sullivan.

After two more classes complete the course in the next two weeks, the state will have 170 men in uniform specially trained to handle civil disturbances such as the one Montgomery experienced in March as a result of Negro demonstrations.

38a 1960

SANE
SENSIBLE APPROACH OF NEGRO EFFORTS, INC.

ALABAMA

Claim Standards Lower—

SANE Asks Stewart Check Negro Colleges

MONTGOMERY, March 24 (AP)—State School Supt. Frank Stewart was asked by a Negro group today to investigate scholastic and attendance requirements at Negro colleges, particularly Alabama State.

The request came in a letter from Sam Moore of Birmingham, head of a newly organized Negro organization opposed to forced integration.

Moore, president of Sensible Approach of Negro Efforts, Inc., (SANE), also urged state officials to check up on Negro college faculties and fire any staff members "found to be promoting strife, disunity and racial unrest."

The state superintendent said he would have no statement on the letter before the State Board of Education meeting scheduled here tomorrow.

As to Alabama State College, where students were involved in several anti-segregation demonstrations recently, Moore said "We think it should be further determined why discipline broke down" at the school.

Nine of the ASC students were expelled on order of the State Board of Education for their part in the demonstrations.

The president of SANE called on Stewart to "investigate whether it is proper for the chairman of the history department at ASC to be a leader in a group working closely with the Congress for Racial Equality (CORE) and other agitation groups."

The history department head is Dr. L. D. Reddick. Dr. H. C. Trenholm, president of the college, declined comment and Reddick was unavailable.

The SANE spokesman said his group has received information which raised "grave doubts" as to the standards at Alabama Negro colleges.

He proposed a thorough investigation of conditions at Alabama State "both as to composition of faculty and student body."

Moore said his organization has been informed that standards for class attendance and scholastic work are lower at Negro colleges than at white, and requested that they be made equal.

Elusive in Birmingham

Negro Segregationist Has New Gimmick Now

(Courier Press Service)

MONTGOMERY, Ala.—That elusive figure—Samuel H. Moore, a Birmingham Negro—has turned up again. This time he has made the news reports from this town as head of a new segregationist organ—SANE, INC. The letters stand for "Sensible Approach of Negro Efforts."

In announcing the new organization to the white newspapers, Moore described himself as a Birmingham "businessman," and said his old outfit, the equally elusive "Southern Negro Improvement Association," absorbed by the new group, has 5,000 members.

The Courier's roving reporter was unable to locate more than two actual members of the so-called SNIA on an extensive investigation study in Birmingham last year. Mr. Moore couldn't even be located, although hints were given that a bondsman who had gotten him out of jail sometime ago, might be able to tell where he was.

■

THE WHITE PRESS in announcing the new group, called Moore "Sam Moore." Purpose of the new group, the announcement said, is to work for peace, harmony and goodwill between the races. It said the organization has committed itself to a program "or not forcing integration of schools and other public places."

The Courier, in its effort to locate Moore in Birmingham last year, found that the owner of the premises he had given white people as his headquarters had thrown him out and told him never to come back again. None of his regular haunts could say where he was—or had been.

White people support his movement (??) with checks and money, which seems to be the big idea, after all.

Moore, apparently, is one of those paid Negroes who make certain statements which white segregationists—official and private—can use in publicity to how "how the Negro feels about integration."

38a 1960

ALABAMA

SANE, INC.

Forced Integration Opposed By New Negro Organization

The Montgomery Advertiser
Montgomery, Ala.
Sunday, 3-17-60

A Birmingham Negro Wednesday announced the formation of a new statewide Negro organization which he says will oppose forced integration.

Sam Moore, who described himself as a businessman with an interest in a dry cleaning plant, said the group, to be incorporated in Montgomery as SANE, Inc., will take over the work of existing Negro organizations, including the Southern Negro Improvement Assn. of which Moore is president.

He said members of the new group will be issued cards giving the following stated purpose:

"This organization has adopted and committed itself to a program of not forcing integration of schools and other public places, but toward promoting and bringing about equal schools, parks, recreational facilities, voting rights for qualified applicants and like public benefits . . ."

Its goals, said Moore, are "peace, harmony and goodwill betweeen the races," and "by a sensible approach, the continuing progress and advancement of colored people."

The title SANE comes from the initials of the organization's name, Sensible Approach of Negro Efforts.

The organization and its members disclaim and disavow any connection with agitating groups and organizations from without the state and within the state.

"We are hopeful," Moore said, "of support of all thinking citizens of both white and Negro races."

The Montgomery Advertiser
Montgomery, Ala.
Sunday, 3-17-60

"The organization intends to conduct itself in a dignified manner with respect for law and order and the rights of others. In this regard demonstrations aiming to disturb the peace of the community and state will not be fostered. We will discourage the current "passionate reverence" by irresponsible groups, and will encourage continuing efforts for EARNED recognition and full responsibility of citizenship," Moore said.

Shuttlesworth Times Being Sued By City Of Montgomery In A $500,000 Libel Piece

Bham World
Bham Ala
Sat, 4-23-60

Three Other Ministers Also Named In The Suit

MONTGOMERY, Ala. — (SNS) — The Rev. Fred Lee Shuttlesworth, prominent Birmingham minister being sued along with The New York Times newspaper by the City of Montgomery on libel charges, announced Wednesday evening, April 20, that:

1. He has not been served any papers yet;

2. He does not know what court the hearing will be held in, however, expressing his belief that "the action may be heard in Circuit Judge Walter B. Jones' court since records indicate he has been handling most of the state's and that city's cases in the racial integration movement."

3. He and the other three ministers named, the Rev. J. Echols Lowery, Mobile; the Rev. Ralph D. Abernathy and the Rev. S. S. Seay, Sr., both of Montgomery, will likely have joint legal representation in court, instead of individual attorney.

Montgomery, known as the "Cradle of the onfederacy", Tuesday, April 19, filed a $500,000 libel suit against the Times and the ministers in connection with an advertisement, critical of racial and economic conditions in Alabama, which was printed in the nation's New York paper, March 29.

The suit was filed in state court on the behalf of Montgomery's mayor, Earl D. James; and City Commissioners Frank W. Parks and L. B. Sullivan.

James, Parks and Sullivan charged that the advertisement subjected them to ridicule and embarrassment with what they said was its version of incidents surrounding recent demonstrations by Montgomery area Negro college students.

The Times' advertisement sought to raise money to help pay legal expenses of the Rev. Martin Luther King, Jr., for his income tax trial in April. The former president of the Montgomery Improvement Association is charged with filing "false state income tax returns." The MIA conducted a successful in an effort to "to starve time ago.

In their complaint papers, the three Montgomery city officials denied the Times' ad's contention that: "In the midst of the racial flareup students at Alabama State College were locked out of their cafeteria i nan effort "to starve them into submission."

The officials also demand in their complaint a "full and fair" retraction of the disputed facts in the ad.

Rev. Mr. Shuttlesworth is president of the Alabama Christian Movement for Human Rights and pastor of the Bethel Baptist Church North Birmingham.

Shuttlesworth Charged With False Information

ARRESTED, CHARGED — The Rev. Fred Lee Shuttlesworth, pastor of Bethel Baptist Church, North Birmingham, was set for an appearance in City Police Recorder's Court last Monday night, April 4, it was learned.

Release on a $300 bond, 8:30 a. m., Friday, April 1, the Rev. Mr. Shuttlesworth was arrested at his his home, around four p. m., Thurs-



REV. F. L. SHUTTLESWORTH

day, March 31, and placed in jail. Arresting officers said the minister was charged with violating the City Code, Section 14, 35-F, which is briefly interpreted: "Giving False Information, Written or Orally".

Rev. Mr. Shuttlesworth identified officers who took him into custody as Detective Sgt. Tom Cook and Detectives C. L. Pierce and C. L. Stevens.

The Rev. Mr. Shuttlesworth stated that the latest development grew out of a telegram which he sent to Birmingham Police Headquarters, the local FBI office and the County Sheriff's office about two months ago, requesting that they "investigate a report of an incident in which a Negro man was reportedly allegedly beaten by persons described as police officers" in the neighborhood community in the vicinity of the Jefferson County Juvenile Home, 120 North 2nd Court.

Rev. Mr. Shuttlesworth said that he never did receive a written nor oral reply from the police department as to their findings or whether they had looked into the matter. He added, "My arrest apparently is their answer to a two-month-old request for an investigation."

The Rev. Mr. Shuttlesworth is also president of the Alabama Christian Movement For Human Rights.

A Birmingham News story (April 1) quoted Birmingham Police Commissioner T. Eugene Connor as saying that Rev. Mr. Shuttlesworth was arrested and charged with "vagrancy and giving false information to the Police Department".

The News further quoted Mr. Connor as saying that the false information charge stemmed from an investigation conducted by police about a month ago.

Mr. Connor was further quoted by the News as saying that "Shuttlesworth told police that several white men had sexually mutilated a Negro man and demanded a "full" investigation; that the investigation revealed the Negro was mutilated by his wife during an argument."

Rev. F. L. Shuttlesworth

Cites Role Of Politics In 'Stride For Freedom'

The Rev. Fred L. Shuttlesworth of Birmingham, A l a. last week called for Negroes to take "non-partisan, independent political action in their stride toward freedom."

The militant minister's remarks were prepared for the closing session of the Midwest Conference of Negro Voters held in Monumental Baptist Church here where 142 conference delegates from eight midwest states called for the formation of a non-partisan political organization following his speech.

"If we in the South can suf- said:

The Rev. Mr. Shuttlesworth fer and die for basic principles of freedom, then I am sure in the Midwest, the North, the East and the West, can be inspired by the heroic sacrifices in the South to use more strenuous efforts to gain the ballot and use it for our and your welfare."

Rev. Shuttlesworth delivered the keynote address to the group where delegates exchanged experience, compared notes and evolved a program after three days of meeting. The program is aimed at increasing the impact of Negro voters at the polls.

The Memphis, Tenn. delegation, representing the Shelby County and Tennessee Voters Association introduced the proposal for setting up a national organization of Negro voters. Elihue Stanback, president, and O. Z. Evers, chairman of the Board of Trustees for the Tennessee unit, presented the proposal which was approved by the entire conference.

"With out a doubt," The Rev. Shuttlesworth said, "this is the hour for the Negro to make his greatest contribution to American democracy. You ask why should Negroes take non-partisan independent political action? One main reason is because the Federal Government has and still allows the states to treat Negroes as if they are aliens or slaves.

"At the same time our highest executive officials are making trips thousands of miles away to Russia, the Far East, Afghanistan and now South America to spread good will and preach democracy. I have always thought it strange that President Eisenhower could travel 22,500 miles to India and other lands and pour out his bleeding soul to these oppressed people, but never found voice nor courage to just say frank and positive words against segregation and discrimination of Negroes in the South.

"I maintain that instead of going thousands of miles south our leaders should land in Alabama, Mississippi or Georgia to tell us what kind of a democracy this should be. Why shake hands with black men in Africa, brown men in India and be afraid to speak to black people in the Southland?

"Why must Ike continue to come South to play golf and shoot quail while Southern demogogues are shooting Negroes. This type democracy in 1960 is no better than that over which they fought in 1861.

"America is guilty of throwing the bread of charity to Hungarians and other people, while at the same time throwing bombs at American Negroes. A most vivid example of this is what happened in Montgomery, Ala. recently when the Police Commissioner and over 500 officers allowed 10,000 whites to gather at the state capitol and prevent Negroes from coming to the capitol to pray.

"In Birmingham today, about 400 firemen are being trained for riot duty as policemen. They will carry billies and blackjacks . . . and of course . . . we know whose heads billies will strike.

"Why should Negroes take non-partisan, independent political action? Because wise use of the ballot will either change the ways of men, or change the men themselves. The ballot will make bad boys good, good boys better and better boys best.

"So quit selling your souls for a mess of political porridge. Quit speaking right in our mass meetings and voting wrong on election day. Quit being fooled by thse who believe you will always be fools. There must be no compromise on basic rights."

Capt. of Detectives Ben Walker said the arrest was in connection with the lunch counter sit-down Thursday at five downtown stores.

Background of case

TEN NEGRO college students were arrested by police when they failed to leave white lunch counters after they were closed.

Jail wardens said bond on the aiding and abetting charge has been set at $300. The two Negroes cannot make bond however, until the vagrancy charge is cleared.

Trial will be in night Recorders Court at 7:30 p.m. Monday.

Surrendered by attorney

AN ATTORNEY for the Negro ministers surrendered them at City Hall, said Walker.

Shuttlesworth was released from jail Friday on $300 bond on a charge of giving false information to the police department.

The charge stemmed from an investigation conducted by police about a month ago.

Shuttlesworth charged with aiding violation

Two Birmingham Negro integration leaders were jailed late Saturday on charges of aiding and abetting in violation of a city ordinance and vagrancy.

They were the Rev. F. L. Shuttlesworth, 3232 29th-av, n, and the Rev. Charles Billups, 3516 64th-pl, n.

Birmingham Police Hold Shuttlesworth, Assistant

BIRMINGHAM (AP) — Two integration leaders were arrested here Saturday in connection with Thursday's lunch counter demonstrations, police reported.

Detective Capt. Ben Walker said they are the Rev. F. L. Shuttlesworth and the Rev. Charles Billups. Walker said they were surrendered at police headquarters by their attorneys.

Walker said Shuttlesworth and Billups are charged with aiding and abbetting and vagrancy. They were placed in city jail.

Shuttlesworth, 38, is president of the Alabama Movement for Christian Rights, which came into being when the National Assn. for the Advancement of Colored People was outlawed in Alabama several years ago.

Shuttlesworth was arrested Thursday shortly after Negroes staged sit-down demonstrations in downtown eating places, but police said that arrest had nothing to do with the demonstrations.

He was charged with giving false information to police. Detective C. L. Stevens and C. L. Pierce said the false information charge against Shuttlesworth stems from a report he gave police last month that a Negro had been muitlated by white men.

Police said the Negro involved told them he was injured in a fight with other Negroes.

Ten Negroes were arrested Thursday and charged with trespassing after warning in connection with the demonstrations. All were freed under $300 bond.

Shuttlesworth had been free under $300 bond on the false information charge until he was rearrested Saturday.

Shuttlesworth and the 10 Negroes face trial in city court Monday night.

Shuttlesworth is pastor of the Bethel Baptist Church here, and Billups, an aircraft worker, was identified as a part-time Baptist minister.

Shuttlesworth Report Nets Fine, Jail

BIRMINGHAM (AP)—The Rev. F. L. Shuttlesworth, Birmingham Negro leader, was convicted Monday night of giving a false report to police. He was sentenced to 180 days in jail and fined $100.

The case came up just before Shuttlesworth was scheduled for trial on charges of aiding and abetting a breach of the peace in a sitdown demonstration here last week.

The false information charge grew out of a report that a Negro man, James Mallory, had been the victim of a castration attempt by white men.

Mallory and his wife testified that his wounds were inflicted by his wife during an argument over money.

Mallory denied he told anyone he was assaulted by white men.

Three Negroes testified they went to Mallory's house to investigate the assault at the request of Shuttlesworth. Two of them, John H. Davis and George Walker, testified Mallory indicated he had been attacked by white men.

Shuttlesworth testified he sent agencies asking for an investigation after he got a report from the three Negroes who visited Mallory.

The incident occurred early in March.

Thirteen Negroes and a white ministerial student were awaiting trial of charges stemming from last week's sitdown demonstrations in downtown Birmingham.

38a 1960

ALABAMA

DEC.1960
MONTGOMERY, ALA.
HARASSMENT CAMPAIGN AGAINST
POLICE COMMISSIONER L.B. SULLIVAN

THREATS, HOAXES

Commissioner Sullivan Hit By Harassment Campaign

The Montgomery Advertiser
Montgomery Ala.
Thurs. 12-8-60

By DICK HINES

Police action in maintaining order at Cramton Bowl on Thanksgiving Day, in the face of threatened racial violence, set off a campaign of harrassment against Police Commissioner L. B. Sullivan and his family.

Apparently angered by strict enforcement of Sullivan's "no violence" edict, the commissioner has been plagued by threatening and profane telephone calls, hoax messages and other annoyances.

"I don't know whther extremist groups are responsible or whether the actions are politically inspired," he said. "But regardless of the source, I have sworn obligation to uphold the law and this I intend to do."

The latest incident involved a telegram sent to Aubrey W. Williams, controversial publisher of Southern Farmer magazine whose name is often linked to pro-integration groups.

The telegram was sent here in Sullivan's name on Dec. 4, although at the time, the commissioner was several hundred miles away in Tennessee.

The message, called in at the Western Union office, said: "Am very pleased to accept your invitation to session at the Highlander Folk School the weekend of the 10th Dec. and was very pleased with your advice on Thanksgiving Day game here."

Police have been assigned to investigate the matter.

Sullivan, who has not lost his sense of humor over the situation, said the worst thing is, the telegram was billed to his telephone.

"That's adding insult to injury," he laughed.

He said an "uncomplimentary" singing telegram was sent to him on Thanksgiving Day after the game and then on Friday, an anonomous caller demanded to know "how much the NAACP paid you to protect the niggers at Cramton Bowl."

Another prank occurred during a United Appeal "Telethon" at WSFA-TV. Someone called the station, pledging money in Sullivan's name, and about 30 minutes later a campaign worker appeared at Sullivan's home with pledge cards.

The commissioner had already made his campaign pledge to United Appeal at his office and his wife was an active worker in the drive.

On one occasion, flowers were sent to Sullivan's home in the name of the Montgomery Improvement Association, the Negro integration organization headed by the Rev. Ralph D. Abernathy.

Numbers of threatening telephone calls have been received by the commissioner, many of them at home.

Tuskegee Students Begin Boycott For Freedom

While 75 students went to jail in Nashville, Tenn., for protesting against segregated lunch counters, a unified student body from Tuskegee Institute began a full-fledged boycott of white merchants in Tuskegee in the name of "first-class citizenship."

The youths from both areas have vowed an all-out fight against traditional segregation and discrimination. The students are gaining support throughout the nation.

Protesting "injustice and immoral practices," the Nashville students preferred going to jail rather than paying fines or maintaining bonds for what their attorneys called "going against the moral principles that we hold dear." The statement issued by lawyers for the 75 students declared:

"We feel that if we pay these fines we would be contributing muster total strength to make a boycott of white merchants "100 per cent effective" in a quest for first-class citizenship. The move was to add impetus to a boycott started in 1957 when hundreds of Negroes were stripped of their right to vote by a legislative move that redistricted Tuskegee city limits.

The initial boycott succeeded in nearly crippling dozens of white Macon County merchants who rely heavily for business on Negro trade. Negroes out number whites in Macon County and supporting the injustice and immoral practices that have been performed in their arrest and conviction of the defandants." Following their arrests, the students surrendered their $50 bonds in preference of jail terms after three other students refused to pay fines and were jailed on charges of disorderly conduct.

The militant youngsters, tried separately by City Court Judge John Harris, complained that their trials were "pre-judged." They also assailed police for failing to jail white teenagers who harrassed them during Saturday's sit-down demonstrations at a lunch counter.

As the trials were in progress, Negro adults took over for the students in a renewed effort at a Nashville F. W. Woolworth store which has closed its lunch counter.

In Tuskegee, students called a mass meeting and decided to by a 7 to 1 ratio.

Tuskegee students promised to provide transportation to other nearby cities to make the boycott complete. Unified and intent of purpose, the young scholars voted to continue pressing in support of a Federal registrar bill now before Congress which authorize Federal referees to have charge of voting rights in the South.

A student statement declared: "We hope to follow the pattern of the 1956 bus boycott in Montgomery if any further demonstrations against our cause occur. We will meet violence with non-violence."

In Orangeburg, S. C., a 68-year-old Negro woman identified as Mrs. Jannie Hampton was jailed on disorderly conduct charges during a protest demonstration by some 600 Negroes.

And in Tampa, Fla., a Negro and a white man were arrested when Negroes demonstrated against segregated lunch counters in a Greyhound bus station.

Students At Tuskegee Hit City Merchants

TUSKEGEE, Ala. — (UPI) — Tuskegee Institute students launched a full - scale boycott of white merchants Tuesday in their "fight for first-class citizenship."

The students at a Monday night mass meeting, decided to tighten the boycott started in 1957 to make it "100 per cent affective." Negroes in and out of the institute began the boycott of white merchants after the state legislature gerrymandered nearly all the Negro voters out of the city limits.

The students said they would provide fellow students with transportation to other nearby cities to make the boycott complete.

The students at the college founded by Booker T. Washington also voted to continue a letter campaign in support of a federal voter registrar bill now before Congress. They also plan to send President Eisenhower a letter signed by the entire student body asking investigation of voter complaints.

The students said they hoped to pattern any further demonstration after the 1956 bus boycott in Montgomery. They said they would meet violence "with non-violence."

300 In Rally At Tuskegee

TUSKEGEE—An estimated 300 students of Tuskegee Institute met Monday night and decided on a non-violence course in their protest movement and to effectuate a complete student boycott of downtown merchants.

The students, led by four speakers, decided to write a protest letter to President Eisenhower on civil rights complaints in general; to provide transporation for students if necessary in boycotting white merchants there; to continue a letter-writing project in favor of a U.S. House bill to set up federal boards of registrars.

In answer to questions, it was decided that a course of non-violence would be taken.

A telegram signed by the "student body of Alabama State College" at Montgomery conrgatulated the Tuskegee students in their Saturday demonstration here and asked for coordination between the groups.

At Tuskegee

TUSKEGEE, Ala. (AP) — An estimated 300 to 400 Negro students at Tuskegee Institute made an orderly protest march around Tuskegee's city square Saturday.

There was only one major incident as state, county and city officers stood by.

The students marched two abreast on the sidewalk carrying placards appealing for voting rights and civil rights in general.

Spokesmen for Negro students said their march was staged to center attention on what they called voting deprivation and general maltreatment of Negroes. They also said their march was in sympathy with demonstrations against segregation by students in other Southern cities.

A 20-year-old Negro student and a white mechanic were arrested on charges of disorderly conduct and affray. Witnesses said there was a scuffle between the two, but that they were separated quickly.

Boycott Will Be Tightened In Tuskegee

TUSKEGEE, Ala. (AP) — Tuskegee Institute students Monday night undertook plans to tighten the nearly three-year-old Negro boycott of white Tuskegee merchants.

They also decided, at a mass meeting, to write to President Eisenhower on civil rights complaints in general, and to continue a letter-writing campaign in favor of proposed federal voter registrars.

Sam Yette, Tuskegee institute public relations director, said the estimated 300 students attending the meeting agreed to provide transportation if needed to enable others to trade outside Tuskegee.

Negroes in and out of the college started a boycott in the summer of 1957 after the Alabama Legislature enacted a law which all but eliminated Negro voting in Tuskegee.

The measure, later upheld in Federal District Court and in the U. S. Court of Appeals, rearranged Tuskegee's boundaries to leave all but about 10 Negro voters outside the city limits.

Students At Tuskegee Hit City Merchants

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The students said they hoped to pattern any further demonstration after the 1956 bus boycott in Montgomery. They said they would meet violence "with non-violence."

Students Plan Tuskegee Strike

TUSKEGEE (AP)—Some 700 students at Tuskegee Institute voted Monday night to boycott classes Tuesday in sympathy for nine Negro students expelled from college in Montgomery.

The one-day strike received cheering approval as a menas of supporting the students ousted from Alabama State College for their part in anti-segregation demonstrations in Montgomery.

Addressing the mass meeting of Tuskegee Institute students were the Rev. Martin Luther King Jr., integration leader, the Rev. Ralph D. Abernathy, president of the pro-integration Montgomery Improvement Assn., and one of the expelled students, Bernard Lee.

The proposal that Tuskegee Institute students stay away from class Tuesday was advanced by Charles Taylor, chairman of the newly formed Students' Civil Rights Active Movement.



STUDENTS FILE PAST COURTHOUSE, SCENE OF OTHER STRUGGLES
Marching Two Abreast, Estimated 300 Tuskegeeans Start Homeward Trek

300 Students At Tuskegee Stage Brief Protest March

By JERRY HORNSBY
Alabama Journal State Editor

TUSKEGEE — Almost casually they came. Marching two abreast, extending for two city blocks, an estimated 300 Negro students filed orderly down South Main street, paraded around the Tuskegee City Square Saturday, then returned to the Tuskegee Institute campus from which they had departed less than an hour before.

A Negro leader in the front ranks said the demonstration was an outcry "against the denial of our civil rights, especially in Tuskegee and Macon County, but also all over the world."

Only one outburst of violence marred the procession. An 18-year-old Negro student and a 30-year-old Tuskegee white man were arrested after a brief scuffle near the middle of town. Witnesses said the white man swung first.

The students on foot were preceded by an estimated 20 automobiles carrying adults and other students. Most of the cars pulled up in parking spaces around the square, and the occupants watched the demonstration from there.

City police, Highway Patrolmen and sheriff's deputies took their places at pre - assigned spots in the city. One of the city fire trucks was readied for instant use in case water hoses were needed to quell any mass outbreak.

Some of the paraders held placards high over their heads. All the slogans were brief: "Equality, Not Iniquity"; "Strike Out Color in Voting"; "1960, Not 1860"; "To be Free is to Vote"; "A Voteless People a Hopeless People."

The marchers walked almost in silence. Most of the time they looked only forward. No one spoke except a few leaders who kept the ranks closed up, saw that no one blocked the sidewalk, and saw that each unit crossed the streets only in the crosswalks and only when the light was green. They showed indifference to cameras, onlookers and police.

OFF LIMITS

Dr. L. H. Foster Jr., president of the Negro college, watched the demonstration from his car parked in front of the county courthouse. A few minutes earlier, Foster tried to stop the students before they left the campus, saying he feared violence would result. But after a brief deliberation, the students resumed their march. Dr. Foster then placed Tuskegee off limits to the students and drove downtown to witness the procession.

Foster and several faculty members met with student leaders a few hours before the parade, but Foster refused to discuss details of the meeting. He said only that "We did not encourage or discourage the demonstration. We continued our educational policy of counseling with students."

The youthful president described the demonstration as an emphasis of the students' "total concern for full citizenship rights."

Few white persons appeared hostile while the parade was in progress. They stood in front of the stores, or on the square, and remained orderly throughout the

demonstration.

The entire procession around town required no more than 15 or 20 minutes.

RUMORS SPREAD

When word reached police headquarters that the students had left the college, rumors spread that about 1,500 Negroes —almost half the student body— were about to converge on the city. Police then steeled themselves for the violence that never came.

The student who was arrested was identified as Clyde L. Hollie, of Suffolk, Va. After careful study, he refused to sign a $50 bond, and Police Chief Oliver L. Hodnett had no choice but to place him in jail. After consulting with an official of the institute, however, Hollie agreed to sign the bond and was released.

The white man involved in the scuffle, Thomas C. Storey, also was released after signing bond. Their trials on charges of disorderly conduct and affray are set for recorder's court March 7.

TUSKEGEE PRESIDENT TRIED TO HALT MARCH

TUSKEGEE—Dr. L. H. Foster, president of Tuskegee Institute, said Saturday night his administration attempted to discourage the student parade that took place in the city earlier in the day.

But at the same time he said college officials supported the "concern of the students for the advancement of democracy." Tuskegee Institute is an all-Negro institution.

The following is the text of the statement issued by Dr. Foster at about 8 p.m. Saturday:

"A large number of students of Tuskegee Institute walked to the city of Tuskegee and around the courthouse square carrying placards expressing their support of full citizenship for all Americans. This demonstration was orderly and brief.

"A large number of city police and other law enforcement officers supervised the parade efficiently and there were no major incidents.

"The activity was student-sponsored and conducted. Officials of the institute support the concern of the students for the advancement of democracy, although this particular parade into the city of Tuskegee was discouraged by the institute administration.

"The action by the Tuskegee students was to express their earnest support of efforts by many other youth groups throughout the nation to help advance the cause of full democracy in America.

"This expressed concern by Tuskegee students is part of a larger movement to help make democracy a living experience for every American, and it is closely related to the human concerns in the world-wide struggle for freedom and individual dignity."

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ALABAMA LEADERSHIP TRAINING SCHOOL

Rev. G. W. McMurray, Alabama Leadership Institute, Speaker

Birm World, Birm, Ala, 6/22/60 p. 13 col 2

The Rev. G. W. McMurray, pastor of Metropolitan AME Zion Church, is scheduled to be the keynote speaker during the forum hour of the five-day Alabama Leadership Training School sessions at Miles College, 2:15 to 4 p.m., Wednesday, June 29.

"Christian Ethics" will be discussed.

Emory O. Jackson, managing editor, Birmingham World; the Rev. J. C. Wilson, pastor of St. Paul Methodist Church; and Prof. Herman Phillips, professor of History, Miles College, were slated to appear as speakers on the afternoon forum, 2:15 to 4 p.m., Tuesday, June 28.

Mr. Jackson was set to speak on "Christian Attitudes in International Affairs"; the Rev. M. Wilson, "Christian Attitudes in Local Affairs"; and Prof. Phillips, "Christian Attitudes in National Affairs."

Remaining activities include: "Laymen Night", Prof E. W. Windham presiding, 7 p.m., Tuesday; "Adult Talent Night", Mrs. [illegible] Hopson presiding, Wednesday night; and "Youth Talent Night", Mrs. Gregory Durr White presiding, Thursday night.

The Rev. W. B. Franks is registrar; C. C. Cowsen, dean; and Bishop E. P. Murchison, presiding prelate, 5th Episcopal District, CME Church, presiding over the leadership training school.

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Alaska free of jim crow during boom

UNION CITY, N.J. — There was no racial discrimination in Alaska and the Yukon during the gold rush in 1898 - 99, Richard (Dixie) Anzer notes in his new book, "Klondike Gold Rush."

The book notes the experiences of the author in the Far North while he was timekeeper for 600 construction workers and later owner and operator of the Discovery Hotel.

On one occasion, the author notes, he saw a colored man forbidden to get on the floor of a big dance hall opposite his hotel. The man asked if it were his color.

The management explained that it was because of his shoes— that no one was permitted to dance on the highly polished floor with boots or heavy shoes. The colored man got himself a pair of light-weight shoes and had himself a ball.

After 185 Years

Big Indian Problems Still Remain In U. S.

By Congressional Quarterly

Washington, Jan. 11.—Major problems of education, health, and economic development of the American Indian remain unsolved, although the Federal Government has been in the Indian business for 185 years.

The Continental Congress declared its jurisdiction over Indian affairs in 1775, and the Federal Government began making payments to Indians in 1789.

Since then it has spent more than three billion dollars on Indian programs. Of this, $1,100,000,000 has been spent during the past decade. If the present trend continues, Congress soon will be spending $200,000,000 a year on Indian programs.

The Government estimates that there are about 535,000 Indians in the United States, of whom 360,000 are under some type of federal jurisdiction. Collectively, they have considerable assets. The Government holds 52,200,000 acres of trust land for Indians.

The land is conservatively valued at $279,000,000 and it is tax-exempt. Other assets of federally controlled Indians are estimated at $316,000,000.

Average Indian Poor

Even so, the average Indian under federal jurisdiction is usually poor, often illiterate, and in poor health. The Bureau of Indian Affairs estimates that half the Indians under its jurisdiction are functionally illiterate.

The Public Health Service, in charge of Indian health, estimates that infant mortality is nearly four times greater among Indians than among non-Indians.

In a major attempt to get Indians educated, the bureau has launched several programs in recent years to get out-of-school Indian children in school and to provide vocational training to adult Indians.

The Public Health Service has embarked on a big hospital and clinic construction program to improve Indian health, particularly in remote areas of the Southwest and Alaska.

Both Relatively Successful

Both programs have been relatively successful. But the Indian program gets bigger each year because the Indian population is increasing at the rate of 2.5 per cent annually, faster than that of any other minority group in this country.

Some federal programs and policies in recent years have been highly controversial. A program begun seven years ago to relocate reservation Indians in urban areas is opposed by some tribes and Indian organizations.

They look upon it as an effort to force their race into the mainstream of American life and to break up their tribes and traditions. They want the Government to develop their reservation resources instead.

A number of Indian experts question whether remote Indian reservation areas can ever provide a reasonably high standard of living for the fast-growing population. Chairman Richard L. Neuberger (D., Ore.) of the Senate Indian-affairs subcommittee asks:

"Was the original theft (of Indian land) so thorough that the soil will not accept the seed?"

Congress in 1953 without debate adopted a resolution stating, "It is the policy of Congress, as rapidly as possible . . . to end (Indians') status as wards of the United States." Indian organizations and many Indian tribes went up in smoke over this so-called "termination" program.

Interior Secretary Seaton has interpreted termination as "an objective, not an immediate goal." He claims that the Government will not end its jurisdiction over any tribe unless a majority of the tribe wants to be rid of federal controls.

More than a dozen tribes and bands totaling 16,000 Indians have been or are in the process of being terminated from Federal controls since 1954.

Neuberger holds that "the question of justice" for the American Indian "is still to be solved" by the Government. But Chairman James A. Haley (D., Fla.) of the House Indian-affairs subcommittee is more optimistic.

"By providing a sound education for every Indian child, much understanding, and enlightened leadership," Uncle Sam should have the Indian problem solved in another 25 years, Haley estimates.

And Indian Commissioner Glenn L. Emmons looks ahead to a great future for the American Indian.

"As I think back over the changes that have taken place to Indians since I became commissioner in 1953, it is hard to believe they are the same people," Emmons told Congressional Quarterly.

"Once the Indians' sense of pride is restored, once they are educated and gainfully employed, the Indian problem will be virtually solved."

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Reject Delay Of Indian Control

WASHINGTON — (UPI) — A Senate Indian affairs subcommittee Thursday rejected a House-approved bill to extend from next Dec. 31 to July 1, 1961, the date for ending federal control of the Menominee Indian tribe of Wisconsin.

Instead, the subcommittee recommended a modified plan for supporting the Indian when the huge Menominee reservation become Menominee County at the end of the year.

Under the proposal, which now goes to the full Interior Committee, the tribe would be given until next November 1 to appoint voting trustees to manage the corporation which will administer the Indians' timber mill.

PICK TRUSTEE

If the Indians do not meet that deadline, the Secretary of Interior would be directed to transfer their property to a trustee of his choice. The trustee would manage the Indians' affairs until the tribe decided what course of action it wished to pursue.

The secretary would be told to act as quickly as possible after Nov. 1, with a deadline of Dec. 31, 1960.

The subcommittee approved a proposal that the tribe be excused from paying federal stamp taxes on documents connected with terminating government control.

Also recommended by the committee was an amendment under which Indians would be allowed to complete, at government expense, any undergraduate college program or vocational training underway on next Dec. 31.

INDIANS TO SHARE VALUABLE ACRES

U. S. Will Allot Tribal Land, Some in High-Rent Areas of Palm Springs, to 85

PALM SPRINGS, Calif. (UPI) — Millions of dollars worth of land, some of it in the high rent district of this resort, will be parceled out to eighty-five Indians by the end of the year.

At least one of the Indians currently works as a gardener and one or two others are servants in homes here. They are among the "land-poor" members of the Agua Caliente tribe, which holds land estimated to be worth $40,000,000 in and around Palm Springs.

Others of the group, which includes only thirty-five adults, have incomes as high as $45,000 a year from rental or lease of their land.

The great difference in Indian income is the reason for the land distribution, which the Federal Bureau of Indian Affairs calls "equalization."

Tribe Owns 31,000 Acres

The tribe owns approximately 31,000 acres of land as a group. About ten years ago, the Government began allocating forty-seven-acre parcels to individuals in a move to give the Indians economic independence. The 104 members of the tribe now hold forty-seven acres apiece, but some members are wealthy while others are relatively poor because some land is located in better areas.

Until two-and-a-half-years ago the Indians were not allowed to lease their land for more than five years. This had been a traditional policy of the bureau to protect the Indians against possible exploitation by sharp developers during the building boom in Palm Springs that followed World War II.

"Under the arrangement, the Indians never could get any good developments going on their land," Raymond Jackson, an Indian agent, said.

Under the new arrangement, the Indians can make long-term leases and even sell their land with the approval of the bureau.

$335,000 Minimum Set

The equalization plan provides that all of the Indians "will be brought up to a level of not less than $335,000 worth of land," Mr. Jackson said. Nineteen Indians are not included in the plan because they are already worth more than that, the richest having nearly $1,000,000 in land holdings.

Equalization has been held up pending settlement of a deal in which the city seeks to buy the Indian-owned Palm Springs Airport land for about $3,000,000.

After the airport matter is cleared up, the Indian agent will start drawing names out of a glass bowl, giving each Indian the chance to choose his land from among the 24,000 acres to be distributed.

"We expect to have a lot of wealthy Indians here within the next few years," Mr. Jackson said.

Indians Upset: White Lovers Try To Win All The Wealthiest Squaws

CALGARY, Alta.—(ANP)—White men wooing pretty Indian maidens aren't always inspired by love—that is love for the young Indian girls.

There's a strong belief here that many of them are motivated by love of gold in the form of valuable oil and gas royalties which the girls possess.

SUCH SUSPICIONS have been heightened by the fact that recent roving eye bachelors in these parts include a couple of minor European counts and an Englishman with a hyphenated name, a monocle and a guards' tie.

Indian leaders have suggested to the federal government that a law should be enacted imposing a five year delay when a girl marries outside her tribe before the band (community) pays out her legal share of its wealth derived from oil, gas and real estate.

THE INDIANS' SUSPICIONS have been formally expressed to the federal government in Ottawa by two prominent leaders of oil and gas country tribes.

These chiefs are John Samson of the Samson band in the oil rich Heboma reserve and Howard Beebe of the Blood Indian tribe on a reserve in Southern Alberta in the heart of a booming gas region. Beebe is president of the Alberta Indian association.

ADVOCATING THE FIVE-YEAR test, they said that period would give a girl time to find out if her husband really loved her for herself.

The clause, they maintain, would be important to girls marrying outside the tribe—especially to white men.

THE GIRLS RECEIVE their part of band funds when they marry and leave the reservation.

Canada's 172,000 Indians live on 2,223 reserves covering 5,890,938 acres administered by 572 band councils. Most of them live in poverty, but some western tribes have acquired considerable wealth through royalties on oil and gas.

THESE ROYALTIES ARE put into a communal fund handled by the tribal council. Each member of the band is eligible for a share.

The Alberta Indians also are appealing for a wider understanding of the status of common-law marriages among Indians and the children of such unions, now regarded by white man's law as illegitimate.

INDIANS RECOGNIZE it as marriage when a couple starts living together and formally notify the chiefs that they are married. Under existing legislation the mother is held responsible for the children of such tribal unions.

Indian leaders think the responsibility should be borne by the father, as it is in the case of common-law marriage between whites.

The Indians Fight Back

For most puerile "minority" groups who feel themselves put upon in books, magazines and movies, *The Advertiser* has contempt. By their snivels, these groups—whether racial, religious or professional — attempt to command that they be represented in fiction as archangels, no one of whom is subject to the human flaws.

In truth, of course, the same proportion of larceny, greed and mayhem abounds in them as in the unorganized part of the race, but modern fiction seldom reflects it. The only truly safe type—to state the obvious —would be an unemployed white man with no civic, religious or geographical markings, no physical peculiarities, no mental troubles — in short, an undistinguished mixture of clear varnish and pablum, who goes about beating up the card-carrying members of mankind.

But the Indians have a point.

At least twice a day, year after year, a tribe or two are wiped out by an outnumbered cavalry troop galloping across the TV wastelands. Occasionally, an individual Indian is presented as a "good" Redskin, but he's offensive, buddying with the palefaces, making brotherhood speeches and, offscreen, probably circulating petitions for recognition of Red China.

The rest of them are pictured as sneaks, hanging around the trading post swilling moonshine, or else kidnapping white women and annoying wagon trains. But in the end, they fall one by one from their ponies, victims of the cavalry's terrible retribution.

Choctaw Chief Jack Davidson (that name will never sell on TV) complains that television doesn't explain to the younger generation that the Indians were only protecting their homes when they sailed into the white man and never mentions the "cultural advances of the American Indians."

That's a little stuffy, but the chief is right and deserves a congressional investigation to find out who's responsible for "fixing" all the Indian-Cavalry fights on TV. With the networks' present obsession with purity, they might at least follow every such program with the announcement that the foregoing rout of the Indians does not necessarily represent the opinions of the sponsor, the network or the descendants of Gen. Custer.

Meanwhile, Americans can strike a blow for fair play by booing when the cavalry charges over the hill and sounding cheers when the Indians lay one on a wagon train.

500 Indians Hear Report On Claims

ATMORE (Special)—An estimated 500 Creek Indians, led by their bonneted chief, gathered here Saturday to hear reports on their case before the Indian Claims Commission in Washington and to discuss proof of Creek descent.

Chief Calvin McGhee of the Creek Nation East gave a general report on the progress of the suit against the United States. The two Creek nations, East and Oklahoma, are seeking payment for approximately nine million acres of land in Alabama and Georgia taken from their ancestors in 1814.

The Indians were awarded a $3,483,810 judgment in 1958, but appealed. The appeal hearing has ended, except for briefs, with a motion by the Justice Department last week to close the evidence.

McGhee and other speakers, including State Rep. Hugh Rozelle of Atmore, Frank Horne of Atmore and LeNoir Thompson, Bay Minette, all attorneys for the Indians, explained that evidence has shown the land in dispute to have been worth about $2 an acre. Last evidence given before the commission placed the value at more than $21 million.

The Indians are hopeful that the Claims Commission will increase the award and give a judgment within the next three months.

After the speeches, a question—and—answer session was held with tribal members inquiring about their ancestry as preparation for sharing in the award.

CHOCTAW INDIAN FAIR AUG. 31 THRU SEPT. 2

PHILADELPHIA, Miss.—Colorful tableaus of native costumes, campfire dances, and ancient sports will be featured at the annual Mississippi Choctaw Indian Fair to be held on the campus of the Pearl River Indian School, eight miles west of here on Highway 16, Aug. 31-Sept. 2.

Choctaw Indians throughout the state will stage the historical customs of their ancestors at exhibits, contests, parades, and other programs during the three-day carnival.

A Choctaw Indian Princess will be selected at 7:15 p.m. on Aug. 31 to reign throughout the festivities. She will be included in an Indian parade along with the winners of the Choctaw dress review at 7 p.m. Sept. 2.

The dress review, featuring costumes made by the Indians themselves, will be held Sept. 1 at 7:30 p.m. Other handiwork will be exhibited throughout the fair, including necklaces, bracelets, lapel pins, belts, hatbands, baskets, Choctaw dolls, and weaving. Some of the articles will be placed on sale.

Other exhibits will include educational features on forestry, health, wildlife, and agricultural extensions.

One of the most popular events featured during the fair is the game of Indian stickball, a combination of lacrosse, and football without the bother of rule books.

Players use two 30-inch hickory sticks to try to hit a single uprackets to catch, pass, and hurl a ball comparable to those used in golf. Players never touch the ball with their hands but use their sticks to try to hit a songle upright goal post on one of a football-size playing field.

Offensive players run with the ball balanced in their stick-scoops precariously overhead while defense players use tactics employed in basketball, football, tennis, or lacrosse, to play the ball.

The stickball games will be played by two Choctaw Indian teams every day at 4:30 p.m.

Other contests include blow gun, drum beating, and Kiowa, Comanche, and Choctaw Indian dances.

All seven Mississippi Indian schools or communities will participate in the fair program, and in the community exhibit contests, which in the past has been keen competition.

The Indian Fights On

SURELY ANYONE reading the daily headlines is in no mood to argue with the poet who wrote "where every prospect pleases and only man is vile." The day-by-day account of man's inhumanity to man around the globe is enough to reconcile anyone to the theory of certain scientists that the world eventually will be inherited by insects. Or, maybe it already has been.



Jane Robb

So the Cherokee and the Croatan Indians in the general neighborhood of Dunn, N. C., who made a futile attempt to get their children into Dunn's all-white high school, undoubtedly chose the right course when they said they would settle for an all-Indian high school of their own.

Of course, the promise of an Indian high school is the bribe offered by the local school board to the Indians so these first and original Americans, who have a little more pigmentation in their skins than the European adventurers who tore the country from them, will cease their efforts to sully the all-white schools with their darker presences.

The Indians, when offered the bribe of a new school, said they preferred a high school of their own rather than admittance to the white school. And scant wonder! I should think the American Indian or the Negro would look carefully and think twice today before asking to associate with the white man.

* * *

When one surveys the world the white man has made and the mess it is in, he doesn't quite shape up as Creation's masterpiece, even with Lumumba to make him look better than usual. One of the most unattractive qualities of us Americans is our inability to forgive the American Indian for being here first and for resisting our successful efforts to deprive him of his vast native land.

It is even more unattractive than our unwillingness to grant or provide educational and economic opportunity for the Negro citizen. We allow an Indian athlete to win laurels for the U.S.A. or an Indian soldier to help plant the flag at Iwo Jima. But only a few weeks ago in the Midwest, as a coffin was lowered into a grave, the burial service was halted with a maximum of brutality and insensitivity that would have done credit to Hitler's S.S. Corps in its palmiest days.

Without the slightest regard for the grief or horror of the dead man's children and friends, the coffin was summarily ordered out of the grave and the cemetery. The corpse was that of an Indian, and he was not sufficiently white for burial in a "Caucasian" cemetery.

The white ghouls in charge of the cemetery kept it unsullied, although by their behavior they had in every way besmirched the honor and the Christian charity to which they gave fraudulent lip service.

To its eternal credit, a veterans' organization came forward and provided the man with decent burial.

* * *

My ancestors, who came to Virginia in the 17th century, did not make their way to the Pacific Coast without fighting a few Indians along the way. But far from hating the Indian, it has made me feel that we Americans have a responsibility to him that has been fulfilled niggardly and too often with grudging lack of sympathy and understanding, much less kindness.

So if the Indians of North Carolina look at the white man and decide that they would rather have a school of their own than force their children to associate with those of the pale face, who can say the Red Men have not chosen the wiser part?

Wasn't it Indians in that neck of the woods who put the Ku Klux Klan to rout a few years ago? Scant wonder these original Americans don't want to associate with the immigrants.

Tribe Equalizes Riches, Boy, 2, Gets $325,000

PALM SPRINGS, Calif., Aug. 25 (AP).—A 2-year-old papoose became the legal owner of land valued at $325,000 yesterday as the Agua Caliente tribal band began equalizing its wealth in real estate.

"It was like a dream," said Culver Nichols, court-appointed guardian for the boy he calls "low Indian on the totem pole."

Little Steven Alan Rice is a member of the Agua Caliente Tribe, one of the Nation's richest Indian groups. Its ancestral lands cover much of this glittering Southern California spa, much of it held as communal property.

The tribe decided to equalize the wealth among its 104 members. Steven was poorest—he was worth only $10,000.

So, with court approval, Mr. Nichols, a real estate man, was appointed to select for Steven enough tribal property to bring his holdings up to a whopping $325,000.

"One of the parcels was a six-acre plot in the heart of Palm Springs' hotel belt," said Mr. Nichols. Altogether he chose 500 acres of land for the boy.

Since late in the 19th Century some 32,000 acres of land had been held by the tribe as community property, deeded by the white man under the California mission act.

Then, in 1959, at te Indians' request, the paleface Congress approved a division of the property. Stevens' turn came first because he was poorest.

All other members of the band — including Stevens' mother and two sisters—will eventually be brought up to the $325,000 mark.

His father Arthur won't benefit because he is a Morongo Indian and lives outside nearby Banning.

"He was 20 miles from getting in on this," said realtor Nichols.

Steven's 2-month-old brother Darryl won't share, either, because he wasn't a member of the tribe when the plan was approved last September.

Steven's plots include 480 acres of land six miles east of Palm Springs, a smaller plot half a mile from the famed Racquet Club, the downtown plot and, overlooking a new golf course, "40 acres of the most beautiful hill slope land I've ever seen," Mr. Nichols said.

"I can't begin to tell what the responsibility was," Mr. Nichols added. "It's a dream of doing something for someone else. . . .

"He's just 2, you know, and I was wondering what it would mean to him when he grows up. He was low Indian on the totem pole, so he got first choice."

Governors Hit Racial Issues

Wind Up Conference With Resolution To Teach Constitution

By KENNETH TOLER
Staff Writer

HOT SPRINGS, Ark., Sept. 28.—Southern governors tackled the unprogrammed, controversial segregation issue Wednesday under the label of Constitutional Government after their conference chairman asserted, "It can never be settled under the flaming pyrotechnics of a presidential campaign or through interposition or nullification."

Gov. Lindsay Almond Jr. of Virginia, chairman of the annual conference in session here, opened the way for the discussion when he presented David Mays of Richmond, chairman of the Virginia Commission on Constitutional Government, for a rundown of its operations. Its consideration ended the conference, which elected Gov. Price Daniel of Texas its new chairman.

Providing 'Ammunition'

Mr. Mays said the commission is giving "ammunition" to school teachers in the form of booklets on constitutional concepts and also sending them to other persons in an effort to "influence public support." He said the next approach would be to "breach the citadel of our colleges and attend to them, too."

Following a lengthy discussion, the conference adopted a resolution recommending the teaching of the Constitution of the United States and its principles in Southern schools.

Authored by Gov. Ernest Hollings of South Carolina, the resolution points out that "in the past 30 years there has arisen a generation that knows not the Constitution." It also asserts that the South "of our nation stands as one of the last bastions of the Federal system under the Constitution."

"We are presently engaged in war at home and abroad between the ideologies of communism and freedom and there necessarily must be knowledge and an appreciation of the Constitution if we shall prevail," the resolution stated.

Speaking for the proposal, Governor Almond said the nation "must be alert to retreading the Constitution."

"We can't overthrow the Federal Government and never desired so to do, but we can proceed on a plane of sanity, dignity and respect," he said.

Hollings Comments

Governor Hollings noted that "there's been too much talk about segregation and not enough talk of our constitutional principles." He said that there was an unwritten rule that segregation was not to be discussed at the annual conferences.

The nearest the conference came to that was in 1957 when a special committee was named at the Sea Island, Ga., meeting to confer with President Eisenhower on the then explosive question of Federal troops being sent to Little Rock in the school integration controversy.

Gov. Luther Hodges of North Carolina predicted that "some day every other part of the nation will be concerned over constitutional rights other than on segregation."

Gov. Orval Faubus of Arkansas asserted that the conference action "vindicates my position."

"I've never taken a stand as a segregationist or integrationist, but solely on the constitutional principle of the rights of the states to determine these questions for themselves," he said. "This is a basic issue of our nation—it concerns all people."

Gov. Ross Barnett of Mississippi, staunch segregationist, said the question is "how we are going to curb the United States Supreme Court from making such revolutionary and irresponsible interpretations of the Constitution."

AJC Report Analyzes 'Race Myths'

Report Responds To Foes Of Integration

Nine "myths of racial integration" that account for much of the resistance toward Negroes moving into previously all-white neighborhoods are analyzed and answered by the American Jewish Congress in a current new study published.

Copies of the 16-page brochure were distributed recently at a quarterly meeting of the AJCongress national administrative and executive committees in Stephen Wise Congress House 15 E. 48th st.

"The Myths of Racial Integration" is designed to answer the arguments most often cited by foes of integration in education and housing, according to Mrs. Naomi Levine, director of the AJCongress program department and author of the analysis.

The first "myth," according to the pamphlet, is that "property values go down when Negroes or Puerto Ricans move into an all-white neighborhood." The report cites studies by Chas. Abrams, Luigi M. Laurenti and other housing authorities and real estate appraisers showing that property values decline as a result of "panic selling," not racial integration in housing. "An intelligent community that understands this issue—that will not be panicked or misled by fear or hysteria—has nothing to fear economcally from integration in housing," the study concludes.

Myth Number 2 holds that "if one Negro or Puerto Rican moves into a neighborhood, a multitude will follow," The American Jewish Congress pamphlet points out that if residents behave "normally" and "stay put" the neighborhood will not change radically,

Myth 3 contends that Negroes do not maintain their property. The AJC pamphlet points out that a look at areas or housing developments that have been integrated disproves this myth. In Germantown (Philadelphia, Pa.) Negro home owners in many blocks have kept their property up far better than the previous white owners, the Philadelphia Human Relations Commission points out.

Myth 4 holds that Negroes will not be able to keep up their mortgages and thus be forced to sell their homes at lower prices to a poorer class of people. The AJC report cites census figures which show that the non-white population is steadily advancing to better paid occupations and to greater security in jobs, as well as to higher educational levels and are classified as "good risks."

Myth 5 has it that neighborhoods should be homogeneous with residents having the same cultural and economic background. The report shows that educators and psychiatrists agree that neighborhoods containing persons of only one racial, religious, ethnic or economic background are not good for children or for adults in that people have little opportunity for cultural enrichment if they do not have the opportunity to meet people of different backgrounds and experience.

Myth 6 claims that if Negroes are permitted to live in the same areas as whites and go to the same schools, intermarriage will increase. The report shows that intermarrige will not necessarily increase if Negroes and whites live in the same areas or go to the same schools. Leading psychologists, psychiatrists and sociologists support this conclusion based on affirmative program of education, not racial or religious ghettoization.

Myth 7 says that prestige will be lost if Negroes or Puerto Ricans live in your neighborhood. The reports shows that a neighborhood's social prestige will not be lost if Negroes or Puerto Ricans move in. The report states that a neighborhod gains prestige from its appearance, the stature of those who live in it, the quality of its community life and not from the color of its inhabitant's skin.

Myth 8 holds that Negro children are innately less intelligent than white children. Integrated schools therefore will result in lower educational standards. The report shows that Negro and Puerto Rican children are not biologically less intelligent than white children. Segregation and discrimination, however, have lowered their aspiration, social moral and incentive to learn. A genuine integration program therefore, makes provision to reduce this gap wherever it exists—by requesting smaller classes, improved facilities, more experienced teachers, better remedial work and more extensive guidance and motivation resources.

Myth 9 holds that if Negroes or Puerto Ricans move into a white neighborhood, crime and delinquency will increase. The AJC findings state there can be no question but that slum conditions do go hand in hand with crime and delinquency. The findings also state that the way to protect a community from these social diseases is to provide fair housing markets for all people, to give all people better education and employment opportunities and to rigidly enforce housing, health, sanitary and police regulations so that every part of the city is conducive to decent living.

38a 1960

AMERICAN NURSES ASSOCIATION

NURSE GROUP BARS GEORGIA CENSURE

Harsh Resolution Amended to Encourage State Unit on Admitting Negroes

By EMMA HARRISON

Special to The New York Times.

MIAMI BEACH, May 4—The American Nurses Association gave the Georgia State Nurses Association today "encouragement" and two years to admit Negro nurses to merbership.

A harsher resolution presented by the board of directors asking the delegates to the biennial convention here to consider dropping "the only state nurses association which has not complied" with the principle was amended by a member of the board of directors.

The delegates declined to postpone decision entirely on the matter, but voted the compromise after receiving information that members of the Georgia group seemed to be moving closer to the goal of the national organization.

A poll of the Georgia membership recently showed that 604 members favored rescinding a 1955 action that barred Negro nurses and 646 were against it. The total membership of the Georgia association is 2,620. The rest did not return the ballots.

Mrs. LaVerne Johnson, president of the Georgia association, expressed her group's gratitude to members who had helped the state "progress in a problem we have been dealing with in our state and in the state nurses association."

A Period of Grace

No provision for dropping the Georgia association from membership should it fail to comply was included in the substitute resolution. The original had specified that the A. N. A. rescind the state's membership in the association should the nondiscrimination policy be ignored after a period of grace.

Members argued that the action of the board in presenting the original resolution had been untimely since it implied "coercion." They said that the nurses' group in Georgia had come far and could not go too far ahead of the community mores.

Several who opposed the softening of the action observed that enough time had already elapsed. Since Jan. 1, 1954, Georgia has been the only state denying membership to Negro nurses.

The American Hospital Association, which was petitioned to join with the nurses association in solving problems of economic security of nurses through collective bargaining, has refused to do so, Mrs. Anne Zimmerman of Illinois, chairman of the Committee on Economic and General Welfare, reported.

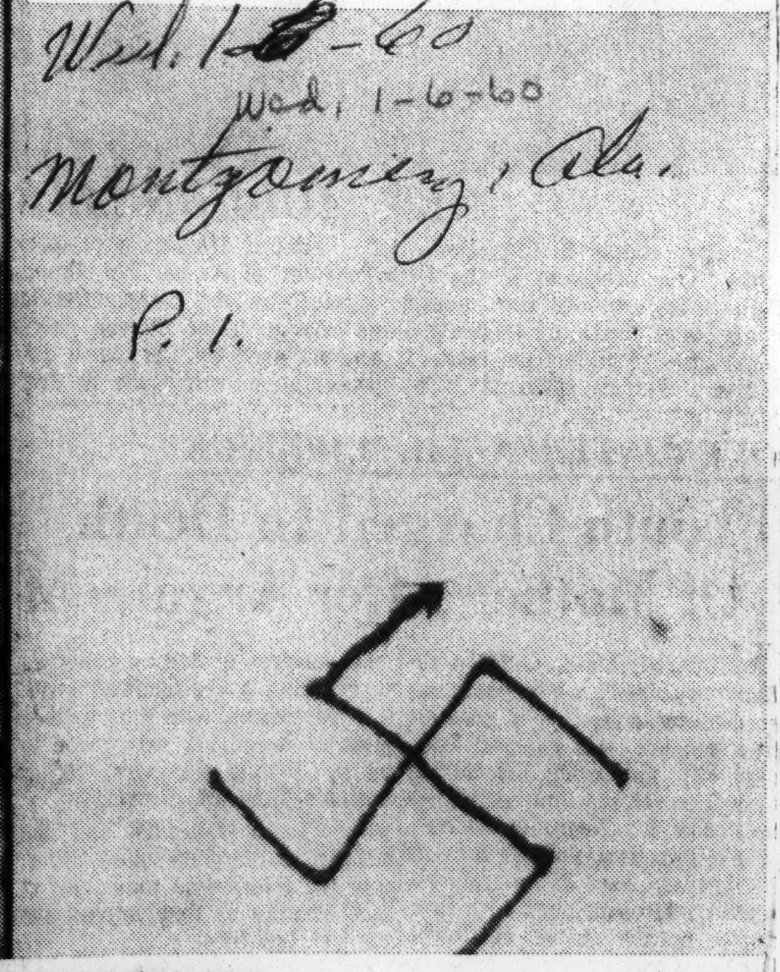


The Montgomery Advertiser

TEEN-AGE SWASTIKA?

This swastika was painted on the only Jewish Synagogue in Marshalltown, Iowa, late Monday night, and authorities immediately blamed teen-agers. Police Chief Delos Dooley said, "It's undoubtedly the work of stupid, moronic teen-agrs. Someone thought it was funny but it's no joke."—**AP Wirephoto**

Wed. 1-6-60
Wed. 1-6-60
Montgomery, Ala.
P. 1.



The Montgomery Advertiser

BATTLING FOR PRESTIGE

West German Courts Jail 18 Men

Montgomery, Ala.

Accused In Wave Of Anti-Semitism

Wed. 1-6-60

BONN, Germany (AP) — West German courts Tuesday jailed 18 men accused of contributing to the wave of anti-Semitic acts that has spread across Western Europe and the nations overseas.

The Bonn government sought to stamp out the plague of anonymously scrawled swastikas and anti-Jewish slogans that it fears is damaging its prestige abroad.

In West Berlin, Rolf Wollny, a 23-year-old unemployed clerk, became the first person convicted in the 10-day-old series of incidents. He was sentenced to 10 months in jail for painting anti-Jewish slogans on doors and a shop window.

Sixteen West Berliners were remanded to jail pending trial following a preliminary court hearing. The group is accused of staging a neo-Nazi torchlight parade Saturday night.

Sen. Joachim Lipshitz, in charge of West Berlin's police, said steps were being taken to ban two radical right-wing youth groups—the National Youth of Germany and the League of Nationalist Students.

In Bonn, Werner Barke, a 60-year-old salesman, was sentenced to three months in jail for scattering Nazi leaflets.

Cologne authorities said the two men arrested after the Christmas Eve desecration of a synagogue would be tried soon. Police said the two have confessed to the act that touched off the current wave of Jew-baiting.

Meanwhile, the local chairman of the rightist German Reich party in Cologne was released by police for lack of evidence connecting him with the defacement of the synagogue.

Germany's wartime ally, Italy, was also beset with fresh incidents directed against its relatively few Jewish citizens who even in Fascist days experienced little persecution.

In Turin, police found swastikas painted on a wall against which 60 hostages were shot by the Nazis in World War II. "Death to Jews" was also scribbled on a park bench.

Roman police rounded up a gang of youths in connection with anti-Semitic scrawls found on walls in the city.

Swastikas and anti-Jewish slogans have appeared in Parma, Milan, and Messina in the past four days.

In Israel, Justice Minister Pinhas Rosen told Parliament that the government is issuing a warning on the dangers of anti-Semitic outbursts "before they develop from isolated acts of hooliganism into disasters for entire peoples and humanity."

Even Israel has had its share. A resident of Ramat Izhak, an exclusively Jewish village near Tel Aviv, said two men on a motor scooter dropped a leaflet with a swastika and the words "heil Hitler." Swastikas also were found on a Tel Aviv synagogue and a labor exchange building in southern Israel.

Chancellor Konrad Adenauer said he was revolted by the anti-Semitic acts and promised "to find the wirepullers responsible."

Adenauer gave his pledge to Hendrik Van Dam, secretary general of the German Jewish Council. Apparently reassured, Van Dam said he thought public attention given to the problem had placed it out of focus. He had called on Adenauer after the first swastikas appeared in Bonn itself.

The West German government has taken the line that unidentified "wirepullers", provoked the campaign to discredit the West German government.

"We have not given a decided opinion on who the wirepullers are," said a Foreign Office spokesman. "Maybe they are from the Communist East, maybe not."

The Communist press in East Germany denied any connection with the incidents. But Communist radio stations lost no time playing up the incidents and reaping a propaganda harvest. They pointed out that some former Nazis hold high positions in the Adenauer government.

A West Berlin newspaper, Der Abend, said swastikas and anti-Jewish slogans were daubed on walls in Oranienburg, a town in Communist East Germany near Berlin.

Most officials in countries reporting incidents blamed the swastika painting on rowdies. In the United States, for example, a swastika was painted on a synagogue in Marshalltown, Iowa.

Said Police Chief Delos Dooley: "It's undoubtedly the work of stupid, moronic teen-agers. Someone thought it was funny but it's no joke."

Police in Western Europe and the United States launched efforts to find out who is responsible for the painting of swastikas, the defiling of synagogues and the threatening of Jews.

Yet there was no answer to the question of whether this was the work of crackpots or of an international conspiracy to revive the anti-Semitism of the Hitler era.

Newspapers wondered if there was a serious revival of perverted nationalism in Germany.

This tends to damage the international prestige of the Adenauer regime, British diplomats said. And since Adenauer is a loyal partner in the North Atlantic Alliance it also tended to cast shadows on NATO.

WEST ANXIOUS

For this reason officials and diplomats in all Western capitals were anxious to see the Jew-baiting stamped out.

In Britain the Assn. of Jewish Ex - Servicemen and Women issued a statement saying: "Recent swastika daubings are a timely reminder that Nazi ideology still exists, not only in Germany but also in this country. This ideology is a cancer in the body of British democracy which if not cut out quickly and effectively can do untold harm."

Anti-Semitic Acts Spread To Eight European Nations

The Associated Press

FRANKFURT, Germany, Jan. 3.—A wave of anti-Semitic outbursts, apparently touched off by the Christmas Eve desecration of a Cologne synagogue, had spread Sunday night to eight European nations. And West Berlin became involved.

Police of West Berlin found the slogan "Juden Raus" (Jews Get Out) in fat red letters a foot high and a swastika painted over commercial advertising posters on Berkaer Square in the Britsh sector. They announced they had broken up a rally of about 25 neo-nazi students in a park Saturday night.

Guards were posted in front of synagogues of the Western sectors of the city. The Berlin Jewry community numbers about 7,500 and is the largest in Germany. Before Hitler, there were 175,000 Jews in Berlin.

Elsewhere, reports of swastikas and anti-Jewish slogans daubed on house walls, churches and other buildings came almost hourly from widely scattered places.

Anti-semitic pamphlets were distributed in Copenhagen. "Morte" (death) was scrawled on the wall of the Jewish center in Parma, Italy, and in London the windows of two Jewish buildings were smashed.

Search For Vandals

Austrian police searched for vandals who smeared the word "Jews" on a Vienna synagogue. In Antwerp, Belgium, a probe was ordered into the defacing of the Jewish Shrine there. Investigations were under way, too, in France and Norway. Far afield, a four-foot black Swastika was found painted on a wall of a fashionable New York synagogue, Temple Emanuel.

In Frankfurt Professor Franz Boerh, a leading member of Chancellor Konrad Adenauer's Christian Democratic Union and chief delegate in the postwar German-Israeli restitution conferences, said:

"I think this is a synchronized operation, a sort of rallying signalto Nazi and fascist elements all over Europe. They may only be a few but they use the old tactics."

Boehm said he considered as dangerous the theory that the defacing might be the work of communist agents seeking to harm the reputation of the Adenauer regime.

"These outrages are certainly welcome to the communists but they would not act themselves," he said. "It would be too great a loss of prestige for communism if such a plot ever came to the light."

The Bonn government has announced it will spare no effort in bringing to justice the persons responsible for instigating the defacings. The government has voiced the opinion that the incidents are part of a planned action to discredit the federal republic abroad and some Bonn officials have privately hinted they have the communists in mind.

Mounting Evidence

On the other hand, reports from local investigators appeared to supply mounting evidence that a considerable part of the refacings in Germany was the work of drunken hoodlums or juvenile hooligans. In various cities, prosecutors said they were certain swastikas and anti-Jewish slogans had been painted by rowdies with no political leanings at all.

They said it appeared the wide publicity given to the Cologne defacing on Christmas Eve had started a transient craze.

Despite more than a score of incidents in West Germany alone, only four persons have been traced as definite suspects so far. Three members of the rightist German Reich party are in a Cologne jail pending preparation of charges. Two of them have confessed defacing the Cologne synagogue.



Jumps Ocean

Patrolman Raymond Bonelli cleans a painted swastika from Temple Emanu-El Synagogue on New York's fashionable Fifth Avenue. It was the first desecration of an American Jewish house of worship, but similar incidents, which started in Cologne, West Germany, have spread through Europe.

HITS 8 EUROPEAN NATIONS

Anti-Semitism Wave Spreads

The Montgomery Advertiser
Montgomery, Ala.
Mon. 1-9-60 p. 1

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DRUNKEN HOODLUMS

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HUNTING GROUND

In the Nuernberg area, once the hunting ground of top Nazi Jew-baiter Julius Streicher, another man is in custody. He told police he applied for membership in the Reich party and is "basically anti-Semitic".

Jewish shrines and synagogues in Hesse and Bavaria were placed under a round-the-clock police vigil.

German Jews Mark Sabbath Under Protection Of Police

The Montgomery Advertiser
Montgomery, Ala.
Sun. 1-10-60 p. 1

BERLIN (AP) — Jews in West Germany and West Berlin observed their Sabbath Saturday in synagogues protected by armed policemen.

It was the first time since the end of the Nazi era that the Jews in Germany had celebrated a Sabbath under the shadow of such outspoken anti-Semitism around the world.

The guards were put in front of the synagogues earlier last week, after Nazi swastikas and anti-Jewish slogans had been painted on Jewish homes and temples.

Even as the police marched up and down, fresh evidence of anti-Jewish feeling cropped up. Swastikas were found at a labor office in Bayreuth, the center of the production of operas by Richard Wagner, who was an idol of the Nazis.

OTHER CITIES

Other reports of vandalism came from such widely separated cities as Rome, Lisbon; Stockholm; Lille, France; Baltimore; Montreal and Toronto, Canada.

In West Berlin the independent newspaper Der Abend apologized for a swastika that turned up in one of its crossword puzzles. The paper said it was an accident.

The official Communist East German news agency ADN said an increasing number of elevated trains are arriving in East Berlin from Western-occupied West Berlin with swastikas daubed on them.

Authorities in West Germany and Austria reported new arrests.

In West Berlin four men—from 20 to 40 years old—were arrested for making anti-Semitic statements on a drinking spree. This boosted to 27 the number arrested in West Berlin on charges of Neo-Nazi activities.

Professed Admirer Of Nazism Hunted

JACKSONVILLE, Fla. (AP) — A self-professed admirer of Nazi doctrines is a prime suspect in the investigation of the painting of swastikas on the Jacksonville Jewish Center, Police Lt. J. O. Crews said Saturday night.

Crews refused to identify the man. He said the man was released from city jail Saturday night after 24 hours of questioning.

"The suspect may be the local leader of a national anti-Jewish, anti-Negro underground organization under the direction of a fanatical Feuhrer operating out of a Northern city," Crews said.

City and county investigators said they believe some of the recent wave of anti-Jewish incidents here and in other cities may be linked to one organization acting under orders from a secret headquarters.

Other incidents, they believe, were the work of juvenile and adult delinquents.

Crews said a thorough investigation by the FBI and the Southern Conference of Bombings eventually will determine which incidents were staged by fanatics and which were the work of pranksters.

Crews said the suspect questioned here as carrying neo-Nazi literature apparently received from a Northern city which was not identified.

"The suspect is no dope," Crews said. "He reads extensively and has studied criminology, electronics and philosophy."

He was unable to explain several inconsistencies found in his alibi, Crews said.

BONN PLANS CURB ON ANTI-SEMITISM

The New York Times
New York.

Adenauer Decides to Ask for a Law Against Slander— Desecrations Continue

By SYDNEY GRUSON

Special to The New York Times.

BONN, Germany, Jan. 6—The Government will press Parliament for the immediate adoption of an amendment to the Penal Code aimed specifically against anti-Semitism in West Germany, it was announced tonight. The bill provides for a minimum prison sentence of three months.

The amendment was considered by Parliament last month, but no action was taken after Deputies of almost all parties objected to the idea of singling out Jews for special attention. The same objection was raised by Jewish leaders.

Since then, however, a wave of anti-Semitic vandalism has swept the country and is continuing. It remains to be seen whether Parliament's attitude will have changed as a result.

The decision to urge Parliament to act was taken at a meeting between Chancellor Adenauer and his Cabinet this afternoon. The action was announced after an Interior Ministry spokesman had told a news conference that there was "no conclusive evidence" indicating central organization and direction of the widespread anti-Semitic incidents.

Felix von Eckardt, the Government's chief spokesman, told the news conference that the Cabinet would discuss next week what steps could be taken against the extreme Right-wing German Reichs party.

Two 25-year-old party members are under arrest for the desecration of the Cologne synagogue early Christmas morning. It was this incident that touched off the rash of swastika painting that has since spread to many other parts of the world.

Provisions on Slander

The Cabinet voiced its expectation that court sentences in pending cases of racial prejudice would "correspond to the seriousness o fthe offenses."

There is a provision in the general Penal Code covering slander, for which prison sentences of up to two years are provided. It is up to individual prosecutors to determine what section of the code should be applied. The code also provides for jail sentences of as little as a week or simply fines.

The proposed amendment reads:

"Whoever incites, in a manner endangering public peace, the hatred of certain groups characterized by their nationality, race or religion or other traits of national heritage, slanders them or disparages them, or whoever, against better knowledge, makes disparaging remarks of a factual nature against these groups, or distributes such remarks, will be sentenced to no less than three months' imprisonment; additionally, a fine can be imposed."

The Cabinet said it was convinced that all Germans would support the authorities' efforts "to uncover and to prevent such crimes."

The first reaction to the announcement was negative. Max Brauer, Socialist Lord Mayor of Hamburg, said the Government's proposal was inadequate.

Stiffer Legal Action Sought

Special to The New York Times.

BERLIN, Jan. 6—The West Berlin Justice Department requested Allied permission today to apply an Allied Control Council law against seventeen youths arrested yesterday on charges of neo-Nazi activity.

A Justice Department spokesman said such permission was needed so the participants in Nazi-style torchlight parades could be tried in the event that West German laws were found inapplicable under an Allied law banning all Nazi activity.

Meanwhile, Jewish leaders in West Germany called for greater efforts to combat the spread of anti-Semitism.

Karl Marx, editor of the German Jewish Weekly, blamed the Adenauer Government for having sought "too many compromises" in dealing with the revival of nazism. He placed the number of West German youths organized in Rightist radical groups at 80,000.

'More Fighting Activity'

Dr. H. G. van Damm, secretary general of the Central Council of Jews in Germany, called for "more fighting activity against the powers of destruction."

The governing board of West Berlin's Free University announced today that proceedings had started for the expulsion of four neo-Nazi students who took part in the illegal torchlight demonstration last Saturday.

While no more incidents were reported today in Berlin, scattered ones occurred in West Germany.

In Kiel, in northern Germany, swastikas and anti-Semitic slogans were daubed on automobiles and houses in several places, the police said.

In Bavaria, three youths were arrested for neo-Nazi vandalism. Dr. Hans Seidel, Minister-President of Bavaria, said twelve cases of vandalism had occurred in the state since Christmas.

In the town of St. Wendel, in the Saar, a 19-year-old youth was arrested while attempting to smear swastikas on a wall.

The Jewish community in Berlin said it had received many messages of sympathy and regret from non-Jewish groups and persons.

New Incidents in Austria

Special to The New York Times.

VIENNA, Jan. 6 — Reports from four Austrian communities today said swastikas and slogans had appeared on churches, public buildings and homes.

Roosevelt Statue Defaced

Special to The New York Times.

OSLO, Norway, Jan. 6 — A Statue of Franklin D. Roosevelt near the City Hall here was daubed with paint last night. "Potsdam Jewish shopkeeper" was written at the base.

Other European Incidents

Anti-Semitic incidents in a number of European countries were reported in dispatches from Reuters yesterday.

The police opend investigations in four Frnch cities after swastikas and anti-Semitic slogans were daubed on walls and on the homes of Jews.

The royal telegraph station at the summer residence of King Frederik of Denmark at Graasten was smeared with three big swastikas. A sports club building in Soenderborg also was smeared.

In Brussels, Belgium two cafes reported to be the haunts of wartime Nazi collaborators had the star of David painted on their walls.

In Milan, Italy, the police said they had arrested twenty young members of the extreme Right-wing New European Order and confiscated masses of Nazi literature and uniforms. The youths were arrested when policemen started investigating swastika painting.

Synagogue Swastika In Iowa Deplored As 'Juvenile' Act

The Montgomery Advertiser
Wed. 1-6-60.

MARSHALLTOWN, Iowa (AP) — Religious and public leaders Tuesday branded painting a black swastika on a Jewish synagogue here an irresponsible juvenile prank.

Montgomery Ala.
Jan 6

But police continued an investigation into the first such reported incident in Iowa. Similar occurences have taken place recently in New York City and in West Germany.

The swastika, symbol of the Nazi party of Hitler's Germany, was crudely painted on the front of the white frame building, about 10 feet below and to one side of a star of David.

The synagogue, only one in Marshalltown, houses the congregation of the Sons of Israel. It ministers to about 30 families.

"It's undoubtedly the work of stupid, moronic teen-agers," said Police Chief Delos Dooley.

The Rev. Max Strang, Congregational minister and president of the Marshalltown Ministerial Alliance, said, "We feel that this is an irresponsible juvenile prank by one not aware of the implication.

"We cannot believe that it reflects anti-Semitic feeling in any measure and we hope that our Jewish friends realize this," the Rev. Mr. Strang added.

"Nevertheless, it was an insult to have it happen and we must deplore the fact that it was done. We would regard any similar prank as offensive to any other religious group."

Mayor W. B. Crosby said he knows of no anti-Semitic feeling here and added "some youngsters who lacked something better to do are responsible."

He blamed newspaper and television for giving them the idea. His reference was to news stories from West Germany and New York where swastikas appeared on synagogues.

Police said no arrests have been made but a check of all stores for recent sales of a black spray type paint was continuing.

The dean of 16 Roman Catholic churches in central Iowa, the Rt. Rev. B. H. Skahill of Marshalltown, arranged a conference Wednesday afternoon.

Among other things, the GOP group will have to fill Langer's places on the Senate Foreign Relations and Judiciary committees.

SWASTIKA IN NEW YORK

A policeman helps clean off a swastika found painted Saturday night on the wall of the east entrance to Temple Emanu-El, fashionable synagogue on New York's Fifth Avenue. Similar swastikas have been found painted on synagogues in West Germany and England.—AP Wirephoto



The Montgomery Advertiser
Montgomery, Ala.
Mon. 1-4-60
Pg. 1.

CHURCHMEN SCORE ANTI-SEMITIC ACTS

The New York Times

Baptists and Episcopalians Condemn Incidents as Outbreaks Spread

Nat'l Affairs

By IRVING SPIEGEL

Continued swastika vandalism in many places in the United States was reported yesterday. At the same time, leaders of prominent Protestant church groups once again sharply warned that the vandalism threatened the religious freedoms of all faiths.

Sun. 1-10-60
Pg. 1

The new vandalism included incidents in the city of New York and in New Jersey and Connecticut. An infectious rash of Swastika-painting insidents was reported from Florida to the state of Washington.

Dr. John W. Thomas of New York, executive secretary of the American Baptist Council on Christian Social Progress, said that the outbreaks in the United States were a "flagrant violation of the principle of religious liberty."

Pg. 14

Incidents Called Challenge

He asserted that the incidents "should challenge all Baptists to express to our Jewish brethren our abhorrence of what has taken place, and to renew our efforts, through teaching and proclamation, to see that constitutional guarantees of freedom of worship for all peoples are implemented, and to work as citizens to provide legal protection for all men against outbreaks of fanaticism, prejudice and hatred."

In Seattle, Wash., Presiding Bishop Arthur Lichtenberger of the Protestant Episcopal Church said that the wave of anti-Semitic outbreaks constituted "an attack on all religious groups." He added that an attack on the "Jewish people is an attack on all religious groups; it is a threat to the liberty of all peoples."

Albert Vorspan, executive director of the social actions committees of the Union of American Hebrew Congregations, embracing 585 Reform temples in the Western Hemisphere, attributed the desecration of synagogues and churches in the United States "to cranks, vandals or delinquents."

Mr. Vorspan said that despite the incidents "anti-Semitism is at a low ebb in American life and is repudiated by the American people of all religious faiths." The union has released a film, "The Work of My Hand," depicting the duty of the religious person to fight for equality, justice and peace.

The Rev. Stanley S. Slingerland, president of the Brooklyn Division of the Protestant Council of New York City, strongly denounced the vandalism as a violation of the basic freedoms set forth in the Constitution.

Two Boys Arrested

Special guards and policemen arrested two boys late Friday night after they had painted a black swastika and a sign, "Jews Go Home," on the wall of a public library at 2150 University, the Bronx.

The boys, one 14 years old and the other 15, whose names were withheld because of their age, were charged with juvenile deliquency and malicious mischief. They will appear in Bronx Children's Court tomorrow. Albert Smith, library custodian, seized one of the youths, and then called a policeman, who picked up the other boy a short distance away.

The Suffolk County police reported that a crudely painted swastika had been discovered on the wall of Temple Beth El at Huntington, L. I.

The police in Brooklyn discovered an eighteen-inch black painted swastika on a side wall of a hardware store, owned by A. Perlman and Son, at 134 Stanhope Street in the Bushwick section. The store is adjacent to Congregation Anshel Emes, which houses a branch of the Jewish War Veterans.

In East Paterson, N. J., white swastikas and the inscription "Heil Hitler" were discovered on the Jewish Community Center building, and on the United Brotherhood Synagogue in nearby Paterson.

Another swastika was painted on a confectionary store in Jersey City.

The Associated Press reported swastika-daubing in Baltimore on the doorways of two synagogues, a junior high-school and at the Ner Israel Rabbinical College, a seminary.

In Santa Fe, N. M., anti-Semitic signs were painted on several churches and buildings, including the State Capitol. Similar incidents were reported in Decatur, Ill.; LaCrosse, Wis.; Jacksonville and Sarasota, Fla.; Seattle, Wash., and Memphis, Tenn.

The Canadian Press reported a dozen freshly painted swastikas and anti-Semitic slogans in a Montreal bus terminal, and on schools in Vancouver.

Red Swastika Appears Here On Synagogue

The Commercial Appeal
Memphis, Tenn.
Sun. 1-10-60
Pg. 1

A crude swastika painted in fire engine red was found late yesterday on a pillar at Baron Hirsch Synagogue, 1740 Vollintine.

The 18-inch Nazi symbol apparently was placed there during daylight. The paint was still damp when the swastika was spotted about 4 p.m. by two 12-year-old boys returning home from Southern Bowling Lanes.

Mike L. Freedman, son of Mr. and Mrs. Harold Freedman of 1784 Brown and Mike Less, son of Mr. and Mrs. Leon Less of 971 North McLean, reported it to a rabbi who teaches in the congregation Sabbath School.

Rabbi Isadore Goodman, head of the congregation, was directing services in the synagogue at the time. Saturday is the Jewish Sabbath.

Baron Hirsch is located in a predominantly Jewish neighborhood in North Memphis.

When shown the sign, Rabbi Goodman seemed unperturbed. "It's really nothing," he said.

Police Inspector R. H. Siler and a squad of patrolmen arrived at 5 p.m. to begin an investigation.

The Memphis swastika painting is the latest in a rash of anti-Semitic incidents sweeping Europe and the United States. The first swastikas were smeared on a Jewish synagogue in Cologne, Germany, several days ago.

A group of leading Protestant churchmen, including Billy Graham and Dr. Norman Vincent Peale, released a statement yesterday deploring the incidents.

Jewish Lawyer Defends Virginian Accused of Anti-Semitic Activities

The Washington Post
Washington, D.C.
Wed. 2-10-80
P. 3A
38a

By Wendell P. Bradley
Staff Reporter

At a United States Attorney's hearing yesterday, a Jewish lawyer defended the right of George Lincoln Rockwell, of the American Nazi Party, to distribute anti-Jewish handbills in downtown Washington.

The lawyer, David Israel Shapiro, was assgined the case by the American Civil Liberties Union and served without fee.

Shapiro said he took the case because of his concern about an individual's right under the Constitution to distribute literature.

"I believe in that right, no matter how strongly I might disagree with the contents of the literature," Shapiro said.

"And as distasteful as I found the literature in this case, I find even more distasteful any attempt to prevent its distribution."

Shapiro agreed to take the case after ACLU director Lawrence Spicer told him the defendant could not find another lawyer. Spicer accompanied Shapiro to the hearing.

Shapiro represented Nazi Party Deputy Commander J. V. Kenneth Morgan, 34, of 296 Chinquapin Village, Alexandria. Morgan was arrested Saturday at 13th and F sts. nw, after a scuffle with Irving Berman, 48, of Falls Church. Both men were charged with disorderly conduct and posted $100 collateral.

Police said Berman grabbed a stack of pamphlets from Nazi Party Commander Rockwell and a scuffle developed between Berman and Morgan. Rockwell took no part, police said.

While Shapiro was in the hearing defending Morgan yesterday, Rockwell was outside in the hall explaining that his party believes about 90 per cent of American Jews will have to be thrown into gas chambers.

Rockwell testified after Morgan. When they emerged from the hearing, Morgan said, "I believe that fellow Shapiro is really giving a good fight for us."

"He certainly is," Rockwell said. "And I've got unbounded respect for Berman, too. Indeed I do. We respect his guts. He's got plenty of money and he could have hired someone to do it, but he came right up to us himself. He attacked the Nazi Party."

Assistant United States Attorney William W. Greenhalgh, after conferring with United States Attorney Oliver Gasch, postponed a decision on whether additional charges shuold be placed against either Morgan or Berman. Assistant Corporation Counsel Clark King scheduled a hearing Feb. 18 on the disorderly charges.

As Rockwell and Shapiro parted at the courthouse door, Rockwell raised his arm and said "Seig Heil!"

Berman, a civil engineer and builder, said he did not think the Constitution guaranteed the right to advocate putting men in gas chambers.

He sad he was shocked and dumbfounded when he found the American Civil Liberties Union representing Morgan. He sad, however, that he still has great respect for the ACLU.

Mrs. Bates' telegram is answered

By Staff Correspondent

WASHINGTON

The FBI has been alerted to keep an eye on the ranch-style residence of Mr. and Mrs. L. C. Bates at Little Rock, it was learned here Saturday.

The order came from the Department of Justice, after President Eisenhower sent word from his temporary White House established in a Gettysburg hotel suite.

President Eisenhower acted after he had received a telegraphed plea from Mrs. Daisy Bates, president of the Arkansas State NAACP and central figure in the three-year effort to integrate Little Rock's public schools.

Mrs. Bates sent the hurried telegram to the President Thursday. Apparently Mr. Eisenhower was not made aware of the message until Saturday.

* * *

MRS. BATES, whose ranch style home has been the targets of bricks, fiery crosses, stink bombs, dynamite and periodic gunfire, dispatched her telegram after State police arrested three men who had volunteered to guard her residence.

The private guards were made necessary, she said, because of the refusal of city police to "provide the minimum physical protection that we have requested."

One of the three men arrested was Ellis Thomas, 48, father of 16-year-old Jefferson Thomas, one of two colored students permitted to register at Central High School.

The others were Dr. German P. Freeman, 41, a dentist, who lives next door to Mrs. Bates; and Isaac Mullen, 43, a special Pulaski County sheriff's deputy.

* * *

THE TELEGRAM

"Dear Mr. President: Despite repeated bombings, attacks by gunfire and rocks, and other assaults on our home—attacks provoked by the fact that we have stood steadfast for this community's compliance with the Federal law—both local and Federal authorities have declined to provide the minimum physical protection that we have requested.

"Now State Police have begun to arrest and harass the upstanding citizens who have provided us with volunteer protection, leaving us defenseless before those who constantly threaten our lives.

"I appeal to you, Mr. President, to provide the basic protection that will give us freedom from fear to which citizens of our free American society are entitled."

THE VOLUNTEERS standing guard duty at Mrs. Bates' home had been increased Wednesday night after a car filled with white men sped down the street and fired bullets at a house they mistakenly believed she occupied.

The slugs entered the living room of a nearby house occupied by Mr. and Mrs. K. R. Honey, who are white. They narrowly missed hitting the Honey's three small children who were watching television.

State police, headed by Governor Faubus, Thursday picked up the three Bates guards and sought to hold them incommunicado.

The three were charged with carrying concealed weapons because a pistol and a shotgun were in the car in which they were riding.

* * *

LATER, THE charge against Deputy Mullens was withdrawn, because as a peace officer, he has a right to carry a pistol.

But an effort is being made to make the charge stick against Dr. Freeman and Mr. Thomas, although the shotgun was on the back seat and not concealed.

The arrest followed a chase of an automobile with Tennessee licenses which kept circling Mrs. Bates' home.

Pursuit of the auto, which had three white men passengers, began after it had made its 10th trip past the house, which is lighted with huge spotlights.

* * *

THEY CAUGHT up with the car three blocks away and the three white passengers insisted they were merely curious and were not trying to cause any trouble.

Thomas and Mullen then returned to stand guard duty again. The Tennessee car returned and began circling the house again.

Thomas and Mullen, joined by Dr. Freeman then got back in Mullens' car and took after the Tennessee sight seers. This was approximately 11:45 p.m.

It wasn't until the next morning about 9 o'clock when word was received that the men were being held at the County jail. But before inquiries could be made, State Police, who act under orders of Governor Faubus, had whisked the men to another jail.

Thomas and Mullen were later released on bail.

* * *

GOVERNOR FAUBUS, told that Mrs. Bates had appealed to the President, denied that he was using State Police to intimate NAACP officials and bruushed off the telegram as "a grandstand play."

Faubus, who before the schools were reopened, said he would not again use the National Guard or State police to restrain segregationist mobs, Friday apparently had changed his mind.

He said he might be compelled to call out the guard if there were any further disorders. Some observers were interpreting this as a call to the mob to create a situation of sufficient magnitude for the governor to act.

IT WAS Faubus's act in calling out the guard to block integration of Central High School in 1957 that precipitated the first crisis in Little Rock, climaxed with President Eisenhower's dispatch of troops to carry out Federal court integration orders.

City police, acting firmly under the directio, of Police Chief Gene Smith, appeared to have taken some of the defiance out of segregationists Wednesday when his men used nightsticks and fire hoses to cool their ardor.

"WHY WORRY ABOUT IRON CURTAIN"

"Cotton Curtain My Concern" Daisy Bates Tells PH Masons

By Dolly Lawson
Of The Eagle Staff

Mrs. Daisy Bates, president of the Arkansas Chapter of the National Association for the Advancement of Colored People, said she could not possibly become aroused by iron curtain threats from abroad so long as the threat of the "cotton curtain" remains at home.

Speaking at the First Baptist Church Sunday, Oct. 4, before Amity Lodge No. 236, in observance of Prince Hall Day, Mrs. Bates said she made the same statement to newspaper reporters and others who questioned her regarding her fears about the Soviet Union.

"I cannot find the time to worry about what is going on in another country as long as I am refused a drink of water in certain sections of my own country," she stated. "I have had invitations to travel around the world, but I am only interested in democracy here in America."

Mrs. Bates said she could not salute the American flag or sing "Land of the Free, Home of the Brave", when a judge could sit in our American courts and look down on our children and tell them they could have a decent education only when he was ready for them to have it and not before.

Mrs. Bates described some of the incidents that occured as a result of her efforts to help promote school integration in Arkansas.

She said she had sometimes called police five and six times in one night because of threats to herself and her family.

"One night, four shots from a .45 pistol were fired at my home," she recalled. "Instead, the bullets went into the home of white neighbors who lived next door and barely missed their nine-year-old daughter."

Mrs. Bates said at that time she sent a wire to President Eisenhower asking him to investigate the shooting. The president turned the matter over to the justice department who insisted that they could not find where anyone's rights had been violated.

She related another incident which occurred shortly after the first Negro student, Jefferson Thomas, entered Central High school in Little Rock. She said Thomas' father, along with two other men were picked up by State police and held incommunicado for six hours.

After making many futile attempts to locate the three men, she contacted the FBI in Washington who later notified her that the men were safe a State Police headquarters. An attorney finally was able to get the men released at 1 o'clock the following day.

"Despite this," she said, 'sixty courageous children went ahead with attempts to enter Central High and sixty parents came forward to say they wanted their child to be among those who would register at the all-white school. She said one school board member's response was, 'I didn't think they had the nerve."

"As dedicated Christians of America," Mrs. Bates continued, "We must not let these children stand alone."

"We are a little worried in Little Rock and throughout the nation because of the lack of militant leadership among our people. When a Negro is in trouble in Mississippi, we should be in trouble right here; when a Negro is in trouble in New York, we should be concerned."

"The trouble is, we don't get angry enough," she declared. "We don't get angry enough to vote; we don't get angry enough to send a telegram to the president of the United States saying we are tired of our children being kicked and beaten; we don't get angry enough to dig down in our pockets and see that our children are able to walk in human dignity just as every other child in America."

'If we, the Negro people, decided today that we wanted to be free, nothing in the world could stop us," she said, 'But we must stop selling our birthright for insignificant things. We must unite our efforts, we must register to vote for the candidate that we know will be best for us. We must demand constructive leadership and proper representation in our city governments. If we do this, she said, "It will make the job of the NAACP so much easer."

Turning to the ministers, she said, 'It would also be a great help to the NAACP if the ministers decided to really lead the people."

"If I were a minister," she continued, "I would lead my congregation to the polls. Every religious leader should be concerned about the number of registered voters in his congregation."

Mrs. Bates gave examples of organization by white people in Arkansas which was keyed to the detriment of the Negro. She said in one week's time after the Negro children registered at previously all white Central High, the local Negro newspaper, The State Press of which she and her husband are publishers, lost every major contract except the one with the Carnation Milk Company.

She told how the Arkansas legislators passed Act 10, requiring teachers to list the names of all organizations that they had been a member of for the past five years. 'This bill was especially designed to hamper the work of the NAACP," she said. "What it did do was wreck the educational system. A majority of the best teachers have left the state or have simply stopped teaching and many more have said they are leaving."

"But God has a way of making things come out all right for you if you trust him," she added.

"There are now six children enrolled at Central High, three of whom entered a few weeks ago," she said. 'Things are much better for them now. That means they get hit only about once a day."

"But they are not practicing passive resistance," she explained "They don't provoke any fights but they all know how to defend themselves when the need arises."

'We must let our young people know that we are beind them," she said. "And we must not forget such brave young people as Miss Elizabeth Eckford who walked alone in 1957 for two long blocks, through a howling, jeering mob, and courageously helped pave the way for other Negro children to enter the same school and enjoy the benefits of a better educational system.

Even as she was preparing to make the trip to Tulsa, the plane held up for a half hour because of an anonymous telephone caller who warned that a bomb had been placed aboard the Braniff Airways craft. FBI agents and police searched the plane but found that the call was a hoax.

Mrs. Bates returned to Little Rock Sunday night.



MRS. DAISY BATES

Mrs. Bates To Be Ga. Doctors' Public Speaker

The Georgia State Medical Association, which is composed of more than one hundred Negro doctors is holding its Annual Convention in Atlanta on May 12-14. The organization is particularly fortunate in having as its public meeting speaker, Mrs. Daisy Bates, NAACP leader of Little Rock Ark.

Warren Memorial Methodist church, located on Ashby Street, will be the scene for this occasion and the public has been cordially invited to hear Mrs. Bates.

Later press releases will go out to doctors concerning their scientific program which includes top-flight speakers from many sections of the U. S. A. The convention is to be held at the Morehouse Coliseum on Fair at Ashby Street.

LET'S BUILD LEADERSHIP

Daisy Bates came from Little Rock, Arkansas Sunday, to speak to the citizens of North Tulsa under the auspices of Amicy Lodge, Prince Hall Masons, in the auditorium of the First Baptist Church North Tulsa.

The audience numbered less than three hundred people and it was significant that there were no ministers present other than the pastor and his assistant, a very few teachers and business men, one lawyer and one doctor. . . .

What makes the number in attendance more significant is the thought that just a few days before — last Wednesday to be exact 2,000 thronged the place at the call of a local dance.

Mrs. Bates told the Little Rock Story in characteristic dramatic fashion . . . rehearsed the dangers encountered and the penalties involved in this all-out battle for full freedom, and then found a place to take Negro leadership to task for its lack of enthusiam and support of this all-out effort.

She opined that she was a little worried in Little Rock and throughout the nation because of the lack of leadership among our people. She made a point of singling out the Negro minister and his derelictions. She states, "it would be a great help to the NAACP if the ministers decided to really lead the people. If I were a minister, I would lead my congregation to the polls. Every religious leader should be concerned about the number of registered voters in his congregation."

She felt that the Negro ministers would do more nearly the thing they were called to do, if they devoted more time to leading the people in this direction, and spent less time and money constructing buildings and raising salaries to enrich themselves.

This particular note was the part of Mrs. Bates' speech that moved us, for while we feel the ministers have a responsibility in this effort, we also feel that this challenge to leadership extends beyond the minister. That it reaches out to include The Oklahoma Eagle, the lawyer, the doctor, the teacher and every citizen in Tulsa.

The Oklahoma Eagle accepts the challenge of Mrs. Bates, and from this day on, will do everything within its power to help alert Negroes to build a better and more fruitful life.

She challenged the ministers to get busy and see to it that all of their members are registered so that they may vote and exercise their God given right. To do this the minister cannot hide behind the cloak that he would be engaging in politics. It really should not matter if the minister did advise his congregation as to whom he felt was most capable to hold an elected office, for surely he should be concerned as to the fitness of the individual who seeks office and as to what his attitude is toward Negroes having representation in city, county, state and federal government.

We agree with Daisy Bates in that the ministers' purpose should go beyond the point of reciting a scripture from the Bible and stating that this is God's ways.

He owes to the community a set of standards that would help its members raise their objectives and assist them in building a better life whereby they could become more gainfully employed and raise their economic and social and moral standards as well as the religious food they say is necessary for a good life.

Come on ministers - - - and lead the way - - - we will join you!

Alford Urges Rogers To Stop Referring To Little Rock In Backing Civil Rights

The Montgomery Advertiser Montgomery Ala
June 3-17-60

WASHINGTON (AP) — Rep. Dale Alford (D-Ark) Wednesday urged Atty. Gen. William P. Rogers to stop referring to Little Rock "in your efforts to rally support for harsh, unrealistic, political and totally unnecessary civil rights legislation.

"I have grown completely weary of your continuous and unbecoming references to Little Rock," Alford said in a letter to Rogers.

In the letter, a copy of which he made public, Alford said:

"The only reason I can see for your repeated references to Little Rock is that the administration still is attempting to cover up for its unwarranted and illegal use of United States troops against the people of the sovereign state of Arkansas."

Alford added that if this is Rogers' objective, he feels that the Attorney General owes "a very definite and emphatic apology to the people of my city, district and state for making them the 'whipping boy' of an obviously political propaganda move."

Alford said he was in Little Rock during the September 1957 school incidents, which led to the troop use, and that he believed racial disturbances in other communities have been just as serious. Yet, he said, Rogers never referred to any of them other than the Little Rock affair.

Referring to the civil rights bill advocated by Rogers, Alford said:

"I also cannot in all seriousness believe that you feel that one man—the Attorney General of the United States—should have the power of injunction to wield over the people of this nation without due process in the courts.

Judge Says Integration Top Crime

The Talladega Daily Home
Talladega, Ala.
6-3-60

LITTLE ROCK, Ark., (AP) — Arkansas Supreme Court Justice Jim Johnson has called racial integration a greater crime than rape and murder and pledged to campaign for a state constitutional amendment to close schools faced with race mixing.

Johnson, in an Arkansas Gazette interview Sunday, said he will campaign for the proposed amendment despite a request by the Arkanas Bar Assn. that the Supreme Court prevent his doing so.

The bar opposition last week asked the court to adopt an American Bar Assn. canon which sets out that judges should avoid making political speeches.

Daily Home

Johnson said the canon forbids backing candidates and no code can keep a judge from speaking out on the issues of the day. "I am opposed to rape and murder," he said, "and would speak out against them. And the greatest crime—even beyond those—is integration."

Johnson, an extreme segregationist, has been boosting Arkansas Gov. Orval E. Faubus for president at rallies in California and Louisiana.

38a ·1960

ARKANSAS

Blood label law 'ridiculous'

LITTLE ROCK, Ark. — "There is absolutely no basis in medical reasons, to the best of our knowledge, for making such a distinction."

Nine months after the passage of the blood-labeling law, this is the opinion of doctors and blood bank officials here who term the act "ridiculous." The law was introduced by N. B. (Nap) Murphy, Ashley County representative.

Clamoring for its passage was the Capital Citizens Council which vowed to maintain a vigil to see that the act was complied with.

The act requires hospitals and blood banks to label containers according to the race of the donor. White persons were not to be given blood donated by colored persons unless they, or their next of kin, consented.

Colored persons, similarly, were not to be given blood given by white donors unless they, or their relatives consented. The act applies except in case of emergency.

* * *

GIVING THE BILL'S sponsors and backers the biggest slap in the face was the fact that in nine months, there have been more rejections of "white" blood by colored patients than the other way around.

(It may be that colored patients fear being infected with the virus that produced the Little Rock, Dollarway and other Arkansas fiascoes.)

As far as the hospitals are concerned, the whole thing's an unnecessary "nuisance." They want the bill repealed so they can go back to using whatever blood is handy or appropriate for the situation.

They foresee the time when life may be lost just because there is no blood available from the "right" race although in good supply from the "wrong" race.

4 Negroes Attend White Church

LITTLE ROCK, Ark., April 17 (AP) — Several Negroes attended an Easter service at a white church today.

The two college-age Negro couples entered the First Methodist Church and took seats in a balcony. The pastor, the Rev. Aubrey Walton, said the service went on without interruption.

The Negro men later identified themselves as Frank James and Olen Grant, students at Philander Smith College. They declined to identify the two girls with them.

James was identified as one of five students arrested in the first lunch counter sit-in here March 10.

Little Rock Diocese

Catechism Condemns Segregation

LITTLE ROCK, Ark. (HTNS)—The Roman Catholic Diocese of Little Rock comprising the entire State and numbering 44,765 Catholics of a total population of 1,750,300 persons, has embarked on an educational program headed by its Bishop to show that "segregation as we know it in Arkansas is immoral."

An "Elementary Catholic Catechism on the Morality of Segregation and Racial Discrimination" has been issued by the Bishop, the Most Rev. Albert L. Fletcher, as a principal tool in the campaign.

In familiar question-answer form, the catechism outlines in detail the position of the Catholic Church on segregation, what it is, where it exists, how it can be overcome by frequent acts of the will by persons finding themselves prejudiced and why it is wrong in the framework of Church teaching.

The catechism was distributed nationally by the Bureau of Information of the National Catholic Welfare Conference, Washington, agency of the American Bishops, in advance of an important National Catholic Conference for Interracial Justice in St. Louis. The St. Louis meeting is the first convention of Catholic Interracial groups ever held. One emphasis will be "local" problems.

In publicizing the catechism outside the State, the NCWC noted also that Bishop Fletcher also issued a pastoral letter to his tension ridden diocese stating that silence on interracial matters is harmful. In the introduction to the 17-page catechism, Bishop Fletcher recommended it for study and discussion club work requesting that it be used with "prudence in speech, patience in conduct and charity in action."

Catholic authorities said that the document was authorized as a teaching document in Bishop Fletcher's own See, but was not binding universally on Catholics in other dioceses, except in its expressions of general Church teachings.

To be universally binding, such manuals need Vatican approval, it was pointed out. However, the Little Rock Catechism could well be studied in dioceses outside Arkansas, particularly its section on the personal obligation of Catholics in segregation situations, Catholic sources said.

Some of the questions and answers follow:

"Q. Why is segregation as we know it in this State immoral?

"A. It is immoral because it discriminates unjustly and uncharitably against human beings on the basis of race alone.

"Q. What is the Church's stand on racism?

"A. The Church condemns racism as contrary to its teaching that all men are inherently and naturally equal, and have the same dignity as children of God; are derived from the same first human parents, and are redeemed by the same Savior. . ."

"Q. What are some examples of racism?

"A. Nazism, Fascism, anti-Semitism. . ."

"Q. What is the habit of racial prejudice?

"A. The habit of racial prejudice is a vice which inclines a person to prejudge a race or any of its members on the basis of race alone, without considering existing merits or demerits. . .."

"Q. When is racial prejudice sinful?

"A. It is a sin when a person wilfully gives consent to (a) feelings of racial prejudice or hatred, or (b) deliberate thoughts, desires, words, actions or omissions which the vice of prejudice inspires. . ."

"Q. What are the remedies for racial prejudice?

"A. The practice of racial jus-

"Q. If segregation as we know it in Arkansas is immoral, wny does the Church have separate schools and churches?

"A. These separate churches and schools were established when enforceable civil law forebade integrated institutions . . . It is practically impossible and would be seriously harmful to abolish or discontinue them at the present time.

"Q. Is this the ideal Catholic school arrangement?

"A. No, it is not. . . ."

"Q. Who is the one to decide when circumstances are such that Catholic Negro students can be admitted to formerly all-white Catholic schools?

"A. The Bishop of the Diocese, after prayerful and serious consideration. . . ."

"Q. May Catholics be members of organizations whose purpose it is to continue segregation as we know it?

"A. Catholics may not be members of such organizations because by so doing they are promoting a system which is unjust and uncharitable."

Faubus Denies Contacts With NAACP Head

LITTLE ROCK, Ark. (AP)—Gov. Orval E. Faubus declared Tuesday he has met Daisy Bates only twice in my lifetime."

This was Faubus' answer to a charge that he had secret contacts with Mrs. Bates, Arkansas president of the National Assn. for the Advancement of Colored People, in an attempt to get NAACP voting support for his fourth term bid.

Faubus told newsmen Tuesday that he first met Mrs. Bates several years ago, then saw her again last Dec. 17 when she escorted a foreign visitor to his office.

Faubus and Mrs. Bates were photographed shaking hands at that meeting.

Atty. Gen. Bruce Bennett, who is opposing Faubus for governor, accused Faubus Monday of "playing footsie" with the NAACP.

Bennett said Faubus had "done more to foment integration than anybody else in the South."

Faubus Chided For Bodyguard

Candidate Williams Calls Governor 'Orval The Omnipotent'

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, May 12.—H. E. Williams, a college president turned candidate for governor, chided Gov. Orval Faubus Thursday for maintaining a personal bodyguard, and also nicknamed the Governor "Orval the Omnipotent."

"It seems . . . rather unbecoming for an Arkansas Governor to be afraid to walk among his own people without armed guards," Mr. Williams said.

He apparently referred to state police officer Floyd Weaver who has accompanied the Governor over a great period of time. Weaver also serves as Governor's driver.

Called Wasteful Expense

Mr. Williams referred to the "bodyguard" as a useless expenditure.

"Never before in the memory of people living has an Arkansas Governor been disposed to waste money on such a useless expenditure. How many old people would this expenditure support during the course of a year? Indeed how many students would it send to Arkansas colleges?"

Mr. Williams promised that if he is elected, "the bodyguard waste will be the first extravagance to go."

Referring to Governor Faubus recent statement concerning the American spy plane incident, Mr. Williams said:

"I noticed that 'Orval the Omnipotent' has been strangely silent about our U-2 intelligence effort since he had made his wrong guess the other day, other than a sly reference to my recent criticism of his views.

Says State Harmed

"Now that all responsible Democrats and Republicans have closed ranks in support of our effort to protect the free world with up-to-the-minute target information, Orval is left strangely alone."

Mr. Williams said, "We all know by now the Governor's tendency to go off half-cocked on subjects with which he hasn't the slightest familiarity and has made Arkansas look rather ridiculous in the eyes of fellow countrymen as well as abroad."

Governor Faubus has been quoted as saying he did not think the United States should have sent an airplane into the Soviet air space on an intelligence mission.

Joe C. Hardin of Grady, another candidate for governor, criticized school closing at a press conference in Pine Bluff.

'State's Saddest Day'

Mr. Hardin discussed school closing and the integration issue at length. He termed school closing "the saddest day this state has known."

Governor Faubus closed Little Rock high schools against integration during the 1958-59 term.

Asked how he would react if a school was faced with a Federal court integration order during his administration, Hardin said: "That would be a matter for Federal authorities. The state is not burdened with enforcing Federal court orders."

Mr. Hardin re-avowed himself as a segregationist but declared, "I'm for law and order and against violence of any kind."

The Faubus and Hardin campaigns brushed Thursday night at Fayetteville.

Governor Faubus had two speaking engagements in the university city, and Hardin supporters planned a rally for their candidate.

The Negro in the North—

Negroes push hard to mix union locals

BY HARRY S. ASHMORE

(Eighth of a series)

One day not long ago President George Meany of the AFL-CIO exploded into the headlines with the announcement that he was prepared to take a group of non-union electricians by the hand and lead them onto a union job in Washington—an offer as remarkable as any ever made in the history of American organized labor.

Had Meany not simmered down before he carried out his threat, the hand-led electricians would have been Negroes. The immediate object of the old plumber's wrath was lily-white Local 26 of the International Brotherhood of Electrical Workers, which in this instance was keeping colored electricians from working on a Federal office building, even as it and its brother craft union locals had prevented Negroes from working on one of the citadels of the integration movement, the palatial Washington headquarters of the AFL-CIO itself.

Meany's scatterload penetrated other sensitive skins—including that of Vice President Nixon, who heads up the government contracts committee which has the mission of seeing that no contractor who accepts Federal money practices racial discrimination in employment. The incident, however, was thoroughly bi-partisan. Another victim was Matthew McCloskey, the prime contractor, who also happens to be the national treasurer of the Democratic Party. Mr. McClosky could only explain that he had offered to bring down Negro electricians from Philadelphia but that Local 26 had threatened to strike if he did—and that the vice president's committee didn't think this was the answer anyway.



ASHMORE

Answer long way off

WHATEVER THE FINAL ANSWER may be to the problem posed by Local 26, and the thousands like it that exist in every major city in this country, it is evident that the leaders of the union movement are still a long way from finding it. More than a year before this spectacular explosion Meany had issued a direct order to the president of the IBEW to open Local 26 to Negro membership, and had set October 31, 1958, as a deadline for compliance. His order was ignored.

In the meantime Meany is being needled from the rear, and the needle is in the expert hands of one of the elder statesmen of national Negro leadership—A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters and a vice president of AFL-CIO. On the open floor of the AFL-CIO convention in San Francisco last Fall the old porter sent the old plumber into another eruption in the course of a debate dealing with discrimination in various member unions.

"Who the hell appointed you the guardian of all the Negro union members in America?" Meany shouted at Randolph.

The unofficial guardian—Randolph

WHETHER PROPERLY APPOINTED or not, Randolph is scheduled to formally assume the role this month. On May 27 in Detroit he will convene the three-day founding convention of the Negro American Labor Council, which has its headquarters in the old Harlem building that houses the porters union.

"Our purpose is clear and simple," Randolph says. "We're going to use the collective power of the million and a half Negro union members in this country to end racial discrimination within the unions wherever it exists—and it exists in plenty of places."

Richard Parrish, the young firebrand who serves as secretary of the new Council, has stated the goal even more forcefully before the New York Labor Forum, a somewhat intellectual group made up of union educational directors and the like.

"You might as well get used to the idea," he told his visibly disturbed audience. "We're going to raise unmitigated hell inside the labor movement, and outside it too, if that becomes necessary."

In that effort the new Council apparently will have the formal support of the National Association for the Advancement of Colored People. Herbert Hill, the NAACP's national labor secretary and, incidentally, one of the last whites to hold a major position with the organization, shared the program at the Labor Forum with Parrish and more than matched his fervor.

Northern unions accused

HILL'S DEVICE WAS TO CALL the roll of virtually every major union in the country, craft or industrial, and cite examples of discrimination against Negroes ranging from absolute bars to Negro apprentices, through Jim Crow locals, to the failure of even the open unions to give Negroes proper recognition in policy-making positions.

"And mark it down that I'm not talking about locals in Atlanta and Memphis and Little Rock," he thundered. "I'm talking about locals in Pittsburgh and Philadelphia and Cleveland and Detroit and right here in New York. I'm talking about locals in places where the union leaders talk loudest and longest about Civil Rights.

"When you were out at the AFL-CIO convention in San Francisco, did you know that in the heart of that great liberal city you couldn't buy a drink from a Negro bartender? Well, the California FEPC was then investigating the case of Ray Bass, who had been trying to crack the all-white local for a year, and couldn't get a job in a desirable location because they wouldn't accept him."

It was a stinging report on union apprenticeship restrictions released by Hill in February and given wide general publicity that marked the first open break between the leaders of the NAACP and the CIO-AFL, who had marched together for years under the common banner of civil rights. Dick Bruner has reported in The Nation that Executive Director Roy Wilkins of the NAACP tried hard to keep the issue behind the scenes. A memorandum on union discrimination was submitted to Meany with the suggestion that a word of assurance from him might temper or resolve the conflict. Meany sent back a perfunctory reply in which he said he could offer no such assurance, and Hill was unleashed.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

The apprenticeship problem

IN THE MATTER of apprenticeship, Hill charges that the old craft unions of the AFL are the greatest offenders—as indeed they always have been—with the building trades and the railway brotherhood at the head of the list. Here the Negro not only faces race prejudice but becomes entangled in the restrictive practices by which apprenticeship programs are often sharply limited and the training period stretched over years. Since this is the only means of entry into the union locals a Negro who can't penetrate the curtain is simply denied the opportunity of skilled employment in a city where these unions hold tight control— as they do in most.

The complaints against the industrial unions of the CIO are on a different level, but they are only slightly less acute. Even the United Auto Workers, considered the most open of all unions and headed by the most consistent and articulate champion of civil rights, Walter Reuther, does not escape the fire of Randolph's new Council. One out of every eight members of UAW, it is pointed out, is a Negro, but only one out of every seventeen UAW staff personnel is colored.

Only six of the AFL-CIO unions have Negroes in positions of elected leadership. They are Randolph's virtually all-Negro Brotherhood of Sleeping Car Porters, the United Packinghouse Workers, the Hotel and Restaurant Workers, the Allied Industrial Workers, the International Longshoremen's Assn., and the National Maritime Union.

Anguished rebuttal hurled

WHEN HILL and Parrish recited these charges before the Labor Forum they drew an almost anguished rebuttal. No speaker from the floor successfully challenged any of the specifics, but all in one fashion or another raised two points—the fact that the unions traditionally had fought for welfare and civil rights programs of special benefit to Negroes, and the fear that an open battle within the ranks along color lines would divide and weaken the entire union movement.

The reply of Hill and Parrish in effect was that of the constituent who interrupted his political boss's recitation of past favors with: "But what have you done for me lately?" And Hill concluded with a threat of further action on still another front. "Don't be surprised," he said, "if in the next few months you meet us in court."

Randolph, turned 70 now and rich with memories, is more philosophical but no less keen for what may be the last great battle of his long career.

In the Saturday afternoon quiet of his dingy office, looking down on the teeming streets of Harlem, the old man tells of being literally taken off a train in North Carolina by a delegation of Negro college students who found out his traveling schedule and at an operating stop came aboard unannounced. They rushed him to a nearby college campus where an auditorium-full of their fellow students had gathered to plan future lunch-counter sit-in demonstrations.

"I looked out over those young faces and I saw the shape of the future. I told them I would do what I could to help. That's what I'm doing now—trying to help in the best way I know how."

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In the ninth article of this series, appearing tomorrow, Mr. Ashmore studies the pattern of residential segregation in the North.)

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SERIES- L.R. HARRY ASHMORE
NEGRO GHETTOS IN THE NORTH

NEGRO GHETTOS IN THE NORTH . . . NO. 7

The Atlanta Journal and Constitution

Puerto Rican Bloc in Harlem

Atlanta Ga

By HARRY S. ASHMORE

A sound truck pulls up to a corner on upper Madison Avenue. A handsome, dark-suited man climbs to the top, picks up a microphone, and sprays the gathering crowd with a blast of Spanish.

5-15-60

The man is Luis Ferre, and he is running for public office—but not for an office within the gift of the city of New York or even of the continental United States. He is the Republican-Statehood Party candidate for governor of Puerto Rico.

D 2 A

For a week in April Ferre took his sound-truck through Spanish Harlem, the Bronx and Brooklyn, pausing along the way to kiss babies (who are remarkably abundant in these precincts) and hand out his campaign literature. Earlier in the month his Democratic opponent, the incumbent Gov. Luis Munoz Marin, was in town on a similar mission.

* * *

THESE POLITICAL visitations were prompted by a statistic that may astound New Yorkers, many of whom feel they are being engulfed by a rising tide of volatile migrants from the United States' commonwealth in the Caribbean. The Migration Division of the Puerto Rican Department of Labor figures that 29,989 Puerto Ricans came to the mainland in 1959. Ferre calculates that just about that many will go back to the island this year. These are the voters he is appealing to in New York; he assumes that, after they have stayed in the States a while, they will be disposed to support his campaign for full statehood.

Ferre's admonitions to his street-corner audiences say a good deal about the nature of the newest of New York's newcomers.

"You must learn English," he tells them. "You must get over your inferiority complex, and learning English will help you."

But at the same time he insists that, while he stands four-square for political assimilation through statehood, the Puerto Ricans must avoid "cultural assimilation." Here again he is a politician with his eye on a bloc vote.

* * *

WHEN THEY first began swarming into New York after World War II, the Puerto Ricans were usually officially classified as non-white. They are often still so regarded by many whites, who tend to think of them as somewhat eccentric Negroes. However, under Puerto Rican protest the official identification has now been abandoned.

The fact is that Puerto Ricans have nothing in common with Negroes except the same problems of poverty, housing, employment and general discrimination. Probably less than 30 per cent of them are dark-skinned enough to pass unnoticed in a Negro bar. In culture and temperament they are as separate from the Negro community as they are from the white.

Although many of them live cheek by jowl with Negroes in the ghettos, there is virtually no social mixing—and there is often a great deal of tension. There has been relative quiet on this front lately, but some of the worst of the juvenile gang rumbles of a few years ago involved Puerto Ricans versus Negroes.

* * *

SO FAR the force of circumstances has kept Negroes and Puerto Ricans physically together. In the early days of their arrival the Puerto Ricans actually served as skirmishers for the Negro community in its struggle for housing and for jobs. Light-skinned Puerto Ricans would be accepted in fringe neighborhoods where Negroes were barred. When they sent back to the island for their families, some dark members inevitably would be included in the next contingent. With the line broken, the Negroes moved in behind them. This is how Harlem was extended down both sides of Central Park.

The same thing was true in employment, and the pattern is not confined to New York.

"There is a Puerto Rican community of about 3,000 in Milwaukee now," says Jose Monserrat, director of the Puerto Rican Department of Labor's operations in the United States. "It was founded a few years ago when we got a request for a number of laborers from a foundry out there. The first ones we brought in were light-skinned and the white workers accepted them without protest. The next batch included some darker men, but they spoke Spanish and somehow this protected them against the usual prejudice. After that it was simple for Negroes to take their place in the work lines, and in the confusion they gained acceptance before anybody was quite sure what had happened."

* * *

MILWAUKEE'S 3,000 Puerto Ricans are not, of course, all a single foundry's workers and their families.

"The immigration simply began in a single plant, and under our control. To protect our people against exploitation we do not allow labor recruiting in the island. Requests have to be cleared through us, and we see to it that the workers get the going wage and are protected against discrimination.

"This sort of controlled immigration still accounts for a good part of the total—but we are a free people and there are many others who come on their own. Puerto Rican families are close-knit, and when a new arrival finds a place he sends back for his children, his parents, and sometimes his cousins and his aunts. And they'll spread out wherever there are job vacancies."

Puerto Ricans have been classified as American citizens since 1917, and therefore are immune to immigration quotas. The reason the great influx did not get under way until the 1940's, Monserrat says, is purely economic. He has a chart in which the peaks and valleys of immigration follow almost exactly the curve of U.S. national income.

* * *

IN THE DEPRESSION Thirties there was actually a decline in Puerto Rican population, as the lack of jobs forced many back to the island. In the booming postwar years of industrial expansion there was a vacuum at the bottom of the United States labor market—in the service and garment trades and for common labor, and Puerto Ricans and Southern Negroes flooded into the great cities to fill it.

New York initially got the bulk of the Caribbean newcomers, and is still the port of entry for most. Monserrat's guess is that there are presently about 800,000 Puerto Ricans in the United States, with slightly less than 700,000 concentrated in the boroughs of Manhattan (289,000), Bronx (173,000), Brooklyn (179,000), and Queens (12,000).

New Jersey and Connecticut industrial cities in the New York area have acquired sizable concentrations; in 1958 Bridgeport could count 10,000, Hartford 4,500, Newark 13,000, and Camden 5,000. In other areas the big concentrations are in Chicago, which had 25,000 in 1957, and Philadelphia, which had 20,000 in 1958.

Every Puerto Rican community is growing, but primarily by birth now rather than immigration. Monserrat's immigration figures show a decline from 1953's high of 69,124 to 29,989 in 1959. The future pattern, he believes, depends upon the economy; continued improvement in conditions in Puerto Rico will tend to keep workers at home, and any shrinkage in the mainland job market would force them to stay there.

* * *

"BUT DON'T expect the magnet of economic improvement to disappear," Monserrat says. The island is crowded, about 12 times as densely populated as the mainland, and the birth rate is high. With all the internal advances of recent years, the average family income is still about $500 a year, as against the mainland's lowest, $1,500 in Mississippi. Opportunity still lies to the North.

These figures explain the miserable conditions the Puerto Ricans have cheerfully endured in their first years in the New York ghettos. Unscrupulous landlords quickly discovered their willingness to pack into tenements under crowded conditions Negroes would not accept without protest—and thereby were able to turn a fast dollar by letting a family a room instead of an apartment.

But it has worked another way, too. Because their prior living standard was so low, Puerto Ricans have generally saved money out of even the bottom-scale wages available to them. This has enabled them to open or take over an impressive number of small neighborhood businesses—far more, proportionately, than Negroes have acquired in the far longer period they have occupied New York's slums.

* * *

TWO OF HARLEM'S leading Negro businessmen, Hope Stevens of the United Mutual Insurance Co., and Joseph E. Davis of the Carver Federal Savings & Loan Assn., confirm this trend and anticipate its continuance.

"I'm not sure they are more frugal by nature than Negroes, but their savings accounts here are impressive, and they are excellent loan risks," Davis says.

"Of course, they have a natural advantage in setting up those neighborhood businesses. The new arrivals speak only Spanish and they want to go where they understand what is going on and can protect themselves. Then, in general, they are a more clannish people—held together by their religion and their different ways. The Negro doesn't have any of those drives; he just wants to live as well as he can and he trades wherever he can get what he wants."

How long that clannishness will survive under the pressure of urban living is a matter of conjecture.

The Puerto Rican's inherited identification with the Catholic Church does does not seem to be particularly durable, and the Irish-dominated church in New York has done little in the way of special ministry, charitable services, or even parochial schooling for these imported children of the faith. As they move into the second generation, they gain complete command of English—although many cling stubbornly to a broken Spanish accent as a special, protective mark of identification that separates them from Negroes.

* * *

SOME ARE already breaking out of the ghettos and disappearing into New York's scattered middle-class.

"Go out to Levittown," Monserratt says, "and you'll find a good many families living there that nobody even thinks of as Puerto Rican. They're blue-eyed and fair-skinned and they talk and dress like the neighbors—and worry about the same things."

All the signs indicate that the difference in pigmentation will make the upward journey for the Puerto Ricans far easier

than it has been, or will be, for Negroes who now share the New York slums with them. This is a source of special Negro resentment—perhaps a far more active source than the occasional direct competition with Puerto Ricans in the labor market.

"How do you expect me to feel?" asks a Harlem newspaperman. "If I am arrested, I go on the police records as Negro or non-white. A Puerto Rican as black as I am is listed as white. And don't think it doesn't make a difference—at least as long as they're not looking at you."

The Puerto Rican is still below the Negro in the social pecking order of newcomers, and in political influence. But he may not be there too much longer to peck at.

It was in part the practical maneuvering of New York City politics that led not long ago to a midtown Puerto Rican rally in which the rain of Spanish from the speaker's platform was broken occasionally by the words Adam Clayton Powell and Hulan Jack—and greeted by a chorus of boos. The next day in the Renaissance Ballroom, Powell and Jack launched their United Harlem Leadership Team and announced that Puerto Ricans had been dropped from their ticket.

It seems likely that the politicians were simply confirming a historic development that had already taken place.

38a 1960

SERIES- MR. HARRY ASHMORE
N NEGRO GHETTOS IN THE NORTH

The Negro in the North—

The Fox has Negro votes with spoils

BY HARRY S. ASHMORE

No one would ever mistake J. Raymond Jones for anything but a politician, and a successful one.

He has the look—the gray hair shading now into white, the subdued and impeccably neat clothing, the easy manner and sense of presence that comes of sitting frequently at head tables. He smokes cigars, naturally, and they come from Havana. His drink, which he indulges sparingly, is an esoteric brand of Scotch for which bartenders have to search in the bottom shelves. His conversation is rich in personal anecdote, and laced with earthy humor.

Had he been born Irish, or Italian, he might well have been the leader of Tammany Hall by now. As it is, he was born Negro, in the Virgin Islands 60 years ago, and so he has only made it as far as membership on Tammany's executive committee.



ASHMORE

YOU DON'T HAVE to talk to Ray Jones long before you understand why Harlem long ago nicknamed him "The Fox." Like all big city politicians he has been in and out. He was elected to the leadership of Harlem's key 13th Assembly District in 1944. His star rose with that of Mayor William O'Dwyer; he became deputy commissioner in the Department of Housing and Buildings and headed up Tammany's powerful rules committee.

At one time, he says, O'Dwyer talked seriously about making him leader of Tammany despite his dark skin. How did he respond?

"I wasn't interested," he says. "You will note that Bill O'Dwyer is not around any more, and I still am."

Even so Ray Jones had his years of political eclipse—beginning in 1952 when he resigned his district leadership and settled for a quiet patronage job as secretary to a General Sessions judge. In 1958, he came back upon the scene under a standard bearing the strange device of Adam Clayton Powell.

Powell had departed the Democratic reservation in 1956 to campaign for President Eisenhower. In 1958 he came home again to campaign for Averell Harriman. The circumstances of this round-trip excursion have been the subject of much speculation; a former Powell aide, Fred Weaver, has charged that it took a campaign contribution of $50,000 to get Adam over to the Republicans, and a contribution of $100,000 by the Democrats to get him back.

'It's all legitimate'

"CERTAIN FINANCIAL arrangements have to be made to pay the legitimate cost of any campaign," says Ray Jones of these matters. "I can only say that in my experience the actual figures are usually exagerated by the time they appear in print."

Jones managed Powell's inevitably successful campaign for reelection to Congress in 1958, and was himself returned to his old district leadership. The liaison with the mercurial Congressman has stood up over these two years, which in itself is noteworthy since Powell has left a trail of disgruntled former associates strewn from one end of Manhattan to the other. Currently Jones is credited with swinging the deal that brought together the two old foes. Powell and Borough Hulan Jack, and in the process tossed a set of Puerto Rican leaders and candidates out the back of the sleigh.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

True to his breed, Jones is not interested in issues but in results. In his view the Powell-Jack United Harlem Leadership Team—which is also and perhaps appropriately called the Axis—is the natural product of the present New York political situation which finds Tammany under attack by an insurgent Democratic group and Carmine DeSapio's hand visibly shaky on the tiller.

They've got the votes

"PUT JACK'S AND POWELL'S groups together and we swing 20 per cent of the votes in Manhattan," Jones explains. "Swing those votes right and we ought to wind up with 20 per cent of the jobs. If we do that we don't need the Puerto Ricans—and anyway the break with them makes Carmine nervous, and that's good for us."

Whether this formula will survive the intricacies of the city-wide struggle for Democratic power now in progress, and the pressures of a presidential campaign year, remains to be seen. The Axis already has been set back in one maneuver by the reinstatement of the once-dismissed malfeasance indictment against Jack, and the hung jury which sidetracked the anticipated acquittal of Powell in his income tax case.

In the face of all this Jones at the last minute had to abandon his effort to get Tammany's endorsement for a judgeship for Jack's lawyer, Carson Baker. He failed, too, in a remarkable attempt to persuade the executive committee to give the endorsemen to a Negro judge already nominated by the Republicans. In the end Jones had the support only of the Negro bloc and the nomination went, in immemorial fashion, to meet the formula patronage demands of New York's Jews.

THIS, HOWEVER, is only part of the game. Jones remains unshaken in his confidence that DeSapio is heading for his last vote round-up.

"When the leaders run again in 1961 Carmine is done," he says. "I plan to be around to help pick up the pieces. I've seen control of this town pass from the Irish to the Italians. Anybody who can count votes ought to be able to figure out that the Negro's turn is coming if not for control, at least for a bigger share of the pot."

Ray Jones, too, is perhaps an inevitable part of the shifting pattern of urban life. He has his counterpart in every big city where Negroes have concentrated in number. He exists, and performs in the old manner, simply because Negroes in fact make up the last real bloc vote left in the land.

There are still identifiable remnants of the older ethnic and religious minorities that left their unmistakable imprint on American politics—the Jews, the Irish, the Poles and the Italians. But these are gone from the ghettos now for the most part and in their passage into suburbia and the middle-class they have tended to lose their special identification, and often to consciously reject it. This is the process that has cost the Democrats so heavily, and has given President Eisenhower his towering majorities. One mark of respectability, after all, is membership in the Republican Party.

A vested interest

MEN LIKE JONES, then, have a vested interest in keeping the Negro ghettos intact, and he makes no bones about it. Of the effort by the American Civil Liberties Union to have the census drop all racial identification, he says:

"Silliest damned thing I ever heard of. How am I going to bargain for the Negroes if I can't prove where they are? I'm losing too many as it is, with all this crossing over the color line."

The patterns of Negro political action vary with the circumstances of the cities. In Detroit the Negro bloc so far has swung with the CIO leadership, and has even been diverted to the support of white congressional candidates running against Negroes. In Chicago the veteran Negro congressman, William Dawson, runs his show along conservative and traditional patronage lines, parlaying the small wards in the Black Belt into six seats on the City Council.

Four Negro congressmen

THE CONCENTRATION OF Negro votes in clearly defined areas has now sent four Negroes to Congress—Dawson, Powell, Charles C. Diggs Jr. of Detroit, and Robert N. C. Nix of Philadelphia. James Q. Wilson, who has made perhaps the most complete current analysis of Negro voting strength, figures Negroes are due to take over eight more seats in the near future—two in California and two more each in Illinois, Michigan, and New York. On state and local governing bodies, elected and appointed, Negroes are increasingly taking their place.

The political strength of the Negro bloc has not, of course, gone unchallenged. In Los Angeles, where the City Council redraws its district lines every four years, it somehow has fallen out that the Negro vote has remained a minority in any given district—with the result that with 255,000 Negroes in the city, and probably twice that in the county, Los Angeles has only one colored officeholder of consequence, State Assemblyman Augustus Hawkins. In Cincinnati, when a prominent Negro lawyer, Ted Berry, ascended to the post of vice-mayor the old system of proportional representation, which favored the solid bloc vote, was abandoned. Berry, who previously had run second, dropped to 15th in a field of 18.

Negro leaders themselves are divided on the question of using the Negro bloc vote to carve out certain direct Negro benefits. To do so does, of course, accept the present segregated communities and it tends to perpetuate them. In theory, at least, it is almost the reverse of integration, which has long been the professional goal.

TO RAY JONES this argument is nonsense.

"A lot of our people listen too much to sociologists," he says with the old political pro's typical scorn. "Sure the white liberal leaders in the past have done a lot of things that needed doing. But why did they support anti-discrimination laws and public housing and all the rest? Because the Negro vote has been growing steadily and they couldn't ignore it. I say it has grown big enough so that Negroes can take over their own show. We're not leaving our old friends, we're just tending to our own business."

Leadership needed

BEFORE THE JONES formula can produce more than limited results there will have to be better Negro political leadership than is now in sight. In the Negro precincts the quick deal and fast shuffle still remain the order of the day—often with calamitous results.

There can be no doubt that the political horse Jones is currently backing is fast-paced and able. Adam Clayton Powell is touched with both genius and charm. There are few better orators in the land, and the content of even his most florid effusions reflect the genuine erudition of the graduate of Colgate and Columbia. When he cares to work at it—which isn't often—few politicians can do a better person-to-person job in the sweaty political halls with the hearty handshake and the remembered name.

The Powell domain

STARTING WITH the base of 10,000 inherited members of his late father's Abyssinian Baptist Church, Powell has carved out an impervious political domain for himself. To do this he has relied primarily on a Negro nationalist line—with overtones taken from the African revolution—which his critics, including the leaders of the NAACP, have denounced as racist extremism. But the emotional response it arouses among Negroes of all classes is his shield and buckler against all personal wrongdoing, proved or suspected—even as segregation is Orval Faubus'.

The politicians accept Powell because they have no choice, but they neither admire nor trust him. Jones is hardly in position at the moment to offer a candid personal appraisal of his candidate, but it doubtless would not differ greatly from that of Harold C. Burton, Harlem's veteran Republican leader, who briefly had Powell in his camp after the big switch in 1956.

"I still like Adam. It's hard not to like him. He'll cut your throat if it suits his convenience, and the truth is not always in him. But with all of that there really isn't any malice in the fellow. Sometimes I think that may be part of the problem—that he just doesn't really care enough about anything, except Adam Clayton Powell."

Spoils of office

IT IS NOT EVEN certain that Powell has the usual politician's drive for power. The influence he has acquired so far he has used mainly to guarantee his personal pleasures, which are expensive—Upmann cigars, Napoleon brandy, a midtown suite in an expensive hotel, frequent trips to the European watering spots, a beach house in Puerto Rico. He travels with an entourage like an old fashioned gangster's or a television comedian's—press agents, check payers, door-openers, and telephone answerers.

These things the Negro people have given Powell. He has given them little in return, except perhaps hope, which is not an inconsiderable commodity. It will be interesting to see in the years ahead if the Ray Joneses in the back rooms can parlay it into the reality of jobs and civic betterment.

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Suggestion To Harry

Harry Ashmore, whose series on "Negro Ghettos in the North" has been given wide circulation, particularly by finger - pointing Southerners, takes time out in one of his articles to severely lash colored newspapers.

Because they are extremely critical of those readers in their communities who say they have no quarrel with segregation, who fawn upon white persons and who, on occasions, have been known to sell out their own race, Mr. Ashmore charges these publications with "sensationalism," "irresponsibility," and "venality."

The charges, unsupported as they are by the truth, mean little. In our long and continuing battle for equality we have been called worst names by far more important people than Ashmore without any apparent ill effects.

Actually, we have just about had our fill of the paternalistic "we-know-what's - best - for - you people" approach of the pseudo-liberals and don't feel called upon to make any apologies to them for what we print and what we do.

But Ashmore, as editor of the Arkansas Gazette during the Faubus unpleasantness at Little Rock, above all people, should know bitter personal attack is by no means limited to colored newspapers or that cringing Uncle Toms its only victims.

If Mr. Ashmore is genuinely interested in bringing about reforms in the approach of the nation's press to this question of equal citizenship, we submit he has a considerable area in which to operate before he gets around to newspapers serving the colored community.

As a starter, we could suggest such inflammatory publications as the Jackson (Miss.) Daily News, the Memphis (Tenn.) Commercial Appeal, the Charleston (S.C.) News and Courier and the Richmond (Va.) News Leader just to name a few that spew segregationist venom behind the cotton curtain.

A Positive Report Discussed

Atlanta Daily World

A Second Look-The Negro Citizen In Atlanta Is Praised By Leaders Here

Atlanta, Ga.

Ju. 2-19-60.

By JOHN BRITTON

The newly emergent Atlanta Committee for Cooperative Action (ACCA) has been called everything under the sun since the release of its all-inclusive condition of Atlanta report Sunday, and all of the name-calling, so far, has been good.

From all areas of the community — business, economic, medicine, fraternal and civic — halos have been hung upon the heads of the members of the committee that made the revealing report on "A Second Look" — The Negro Citizen In Atlanta."

Clayton R. Yates, well known and respected Atlanta druggist, said the committee "did an excellent job on presenting the facts to the world. I have nothing but praise for those concerned with the formulation of this report."

Mrs. P. Q. Yancey, one of Atlantas busies't civic and club women, said "I wish to commend this committee for bringing to the atention of our total community a factual and sober report of the job that remains to be done. Its challenge to all of us."

Dr. A. M. Davis, one of the youngest local practicioners of the medical art,s was even more pointed and spontaneous in his comments.

Dr. Davis said " my reaction is simply one of enthusiasm. It appears to be the beginning of a new era of influence in Atlanta. The committee is a new, youthful organization that will fight for the cause, rather than for the individual gain."

John Wesley Dobbs, very vocal state-wide grandmaster of a powerful fraternal group, said "I had the opportunity to meet with this committee and also to read the brochure they are putting out. I commend their work highly for the splendid job that it is doing in race relations work. I approve of their efforts 100 per-cent and I am willing to lend them all possible assistance in carrying out this work."

Dr. Rufus Clement, famed president of Atlanta University and member of the Atlanta Board of Education, said:

"The statements made with respect to the status of the Negro in Atlanta are very disturbing. The entire community is indebted to the committee which has brought these matters to its attention. It is o be hoped that people of both racial groups will now begin to work together in improving the conditions described in this pamphlet."

GETTING RUMBLES

The committee heads said they have also been receiving rumbles from the "man on the street," with offers of moral as well as financial assistance.

A committee spokesman said his office and those of his associates have been flooded with telephone calls and written messages of congratulations and offers of aid. He said favorable response to the report has reached him from long-distance out of town points.

But the Committee has sworn that it is not intending to rest solely upon its laurels. They said they absolutely decline to rest now that so much attention has been stirred by the fruits of their more than one year's work.

A sub-committe on implementation of their report has already been chosen and plans are said to be underway to formulate still more sub-committees to study and work out ways of speedy and wise implementation of their plans. A report regarding the first step towards implementation was said to be in the offing at an early date.

ACCA's president, M. Carl Holman, said the members of his group have been "pleased and greatly encouraged" by the enthusiastic response of those persons here and elsewhere who have seen or read about the booklet, "Th Second Look."

Holman said "certain citizens have volunteered to assist in providing much wider circulation of the booklet than our limited resources have so far made possible."

"Even more heartening," Holman continued, "is the fact that many have pledged financial support and that of their organizations in bringing Atlantans together for an all-important program of follow-up action."

THE AGREEMENT

So far, Holman said, there seems to be general agreement on two things:

1. That the program of implementation should involve a truly representative cross section of our community working with clearly defined priorities, approaches and assignments.

2. That the issue to be resolved should include not only those specifically noted in the booklet, but such long delayed needs as a fire station to safeguard lives and property on the Westside.

And so the tide rolled along, with more and more recognition and praise being bestowed upon the ACCA men from all points of the community, low and high.

The committee, everyone seems to agree, spent a great amount of time in preparing the booklet that dragged out for public inspection the glaring inequities that the committee said must be erased if Atlanta is to reach her full potential.

The ACCA men dissected, piece by piece, the failure of the city and the state to provide educational, recreational, employment and various other facilities for Negroes that are equal to those presently taken for granted by white Atlantans.

The Committee exposed the shortage of hospitals beds for Negroes, the "marginal" employment practiced in Atlanta, law enforcement and justice, the huge discrepancies between Negro and white recreational facilities, and the "freeze-out" of Negroes at the level of community influence.

MANY SUGGESTIONS

All kinds of suggestions have been forwarded to the committeemen regarding possible roads towards implementation of the report. Suggestions have reached the committee from high-up forces like college president, and mass sources like "street scene" conversationalists.

Dr. Davis, going further in his statement, said "without a doubt those men were seeking no remuneration, and expecting nothing in return for the job they did," in speaking of ACCA's report.

"The report was presented with tremendous honesty and readied by a tremendous amount of work," Dr. Davis added. "This committee," he said, "will coordinate Negroes of Atlanta from one central locale, rather than work under the usual rifts and factions. They offer an organized approach to the solutions of problems facing Negroes in Atlanta."

Mr. Yates, adding to the statements of Dr. Davis, declared that "everything they said is true, and you and I know it."

"You just couldn't beat their presentation of the facts," Yates said. "They merely presented the facts as they really are. They asked for nothing.It was presented just as intelligently as it could be."

Other sources could not be reached for comment on the report, and one person, Atlanta banker, L. D. Milton, declined to comment for publication on the report.

THE GROUP

The group that was responsible for the reports concluded their pamphlet by saying that "The Atlanta Committee For Cooperative Action is an organization of young business and professional men who share a common concern for the future of the city in which they and their children live, a belief that all Atlantans have a right to a full citizens role in that future, and a desire to work earnestly and patiently with individuals and groups willng to plan and act unselfishly toward just, reasonable and clearly defined objectives in bringing that future to pass."

Members of the relatively youthful group included J. T. Bickers, Clarence D. Coleman, James Hayley, Jesse Hill, Jr., M. Carl Holman, Leroy Johnson, Attorney L. H. Pitts M. T. Puryear, Herman Russell, Albert Saddler, Clinton Warner, M. D., Samuel Z. Westerfield Q. V. Williamson and Whitney Young.John G. Gloster and Mozell Hill were members of the Committee until they left the city.

38a 1960

BLACK SUPREMACY
MUSLIN- ANTI CHRISTIAN RELIGIOUS CULT

Muslim Cult Woos South's Negroes With Doctrine Of Black Supremacy

The Montgomery Advertiser p. 1B

9-12-60

CHARLOTTE, N.C. (AP) —Muslin, an anti-Christian religious cult nourished in Negro slums of the North, is trying to bring its doctrine of black supremacy south, into the land of the white supremacists.

Its zealous disciples, who call their founder and spiritual leader "the most powerful black man in America," claim to have established temples of Islam in nearly a dozen Southern cities.

Their latest claim to a temple is in Charlotte, center of a recent recruiting drive.

So far, the movement south appears to be on a small scale, attracting interest chiefly among Negroes who have moved north and become Muslim converts. The movement is opposed by many Negro leaders.

Muslim does not publicly advocate racial conflict. But such conflict is implicit in the utterance of its founder, Elijah Muhammad, self-styled "Messenger of Allah." Muhammad, a small, balding Negro born Elijah Poole in Sandersville, Ga., nearly 63 years ago, entices his followers with the promise that the Negro soon will be master in the land where once he was slave.

FBI ON ALERT

It is no secret that the FBI is watching the movement wherever it should appear.

The segregationist, supremacist doctrines of Muslim are ironically parallel to those of the Ku Klux Klan.

"The young Negro today has been brainwashed into believing the most important project in his life is to sit beside a white man," says the Los Angeles Herald-Dispatch, a weekly Negro newspaper and strong voice of Muslim.

"He has no ambition to become anything, or to build a life for himself; he is not interested in his history — just to be integrated with the white man. Poor fool. He does not realize this is a trick to save the white man's life or to prolong it here in Babylon—Babylon is going to burn."

Muslim's strength is in such cities as Philadelphia, New York, Detroit and Los Angeles. Its headquarters is in Chicago.

In the South, Muslims list temples in Wilmington, Del., Richmond and Norfolk, Va., Winston-Salem and Durham, N.C. Orangeburg, S.C., Birmingham, Ala., and Miami, Jacksonville and Tampa, Fla., and Atlanta, Ga.

Some of these temples, however, are hardly worthy of so majestic a name. In Winston-Salem, the temple is a small structure containing a store on the ground floor and a private residence above. The durham temple is a rented hall where a Muslim minister from Baltimore conducts services once a month. The advertised location of the Charlotte temple is next door to a pool room in a small commercial building.

FEAR EXTREMISM

Negro Christian ministers and the National Assn. for the Advancement of Colored People fight Muslim beachheads in the South, fearing its extremist doctrines will destroy what ground has been won in civil rights.

"We can't gain much if we are taken in by an ideology that separates, divides people and practices racial superiority," says Kelly M. Alexander of Charlotte, president of the North Carolina chapter of the NAACP. "This follows the same pattern as white supremacy."

But even Muslim's sharpest critics concede that Muhammad's promise to elevate the Negro "to the highest position that can be obtained by man" falls on ground made fertile by Negro resentment of real and imagined, past and present, racial oppression.

Muhammad's way of life has no use for drinking and smoking, gambling, dancing and gluttony. It emphasizes cleanliness, self-respect, racial pride and independence.

"It is a subtle appeal," says Dr. J. S. Nathaniel Tross, an AME Zion minister and editor of a weekly Negro newspaper in Charlotte. "They are saying we should take pride in what we are."

Accurate membership figures are available only to Muslim's inner circle. The sect itself, in the Herald-Dispatch on July 23, claimed a membership "upwards of 200,000."

Police sources indicate that 50,000 to 70,000 is a truer estimate of Muslim's strength.

TACTICS, TRAPPINGS

Muhammad combines in Muslim the flamboyant tactics of the late Sweet Daddy Grace, the Arabic trappings of the tue Moslem faith (which rejects Muslim's claim to kinship), and the Negro nationalism policies of Marcus Garvey.

"America is falling," Muhammad preaches. "She is the real habitation of devils and every evil and unclean and hateful person. There is no future for her. One destruction after the other shall come upon her until she has been laid low, even to the ground."

Muhammad decries Christianity as a hold-over from the days of bondage "The white race," he asserts, "has spread their religion called Christianity all over the black man's world and have deceived millions of black people. . . it is now only a matter of time before the so-called Negroes' eyes will be opened."

Mohammad, himself, thought acquitted of a charge of preaching sedition, served three years in prison for draft-dodging. His right hand man and minister of the New York temple, Malcolm X, was converted to Muslim while serving a prison term for larceny.

To his critics, who point to this and his extremist doctrines, Muhammad shouts, "false charges."

And to his faithful, he promises, "the white race was given power to rule a short time, but not ownership of the earth."

38a 1960

REPLY- BY MARGARET BUTCHER
TO ARTICLE
PUBLISHED IN ANTI-AMERICAN NEWSPAPER IN MOROCCO

"NINETEEN MILLION NEGROES AT THE LEADERSHIP OF DEMOCRACY"

'Assumptions Are Unwarranted'

The Washington Post

U. S. Negro Corrects An Anti-U. S. Diatribe

Washington D. C.

Sun 10-9-60

On Sept. 8, the editors of l'Avant-Garde, a virulently anti-American newspaper in Morocco, published an article headed, "Nineteen Million Negroes at the Leadership of Democracy." The piece was read with interest, though not enthusiasm, by Margaret Just Butcher, a Washingtonian now teaching American culture and English in Casablanca. She addressed a reply —in French—to the newspaper.



Margaret Butcher

To date, the editors of l'Avant-Garde have not seen fit to print Mrs. Butcher's letter. Translations of the newspaper's article and of excerpts from Mrs. Butcher's reply are reprinted here.

Mrs. Butcher, a former professor of literature at Howard University, went to Morocco in July. She has served on the District Board of Education and was elected alternate Democratic National Committeewoman in the District primary this year.

THE ARTICLE from l'Avant-Garde:

The violent racial incidents which took place this week in Florida and at Rainbow Beach in Chicago, and which broke out between white and Negro soldiers stationed in West Germany, bring to the forefront the Negro question in the United States at a moment when the presidential elections approach. Nineteen million Negroes represent in the United States a political and economic force which raises fearful internal and diplomatic problems for the present Government, so much more because it is turning its back on the two great traditional parties.

The traveler who disembarks in the extraordinary city of New York confronts the immense Statue of Liberty. Will he forget that this triumphant bronze goddess was cast a hundred years ago by Negro slaves at the same time that American revolutionary armies marched to cries of "Liberty or Death!" (which has since become the Cuban motto) . . . and 800,000 Negro slaves strained at their bonds in the plantations of the South?

The atmosphere described in that monument to racism, the best-seller "Gone With the Wind" by Margaret Mitchell, has changed. The South's old plantation economy has disappeared, to the profit of industrialization.

Today, two out of three Negroes live in cities. They have joined the working classes, and two million of them belong to labor unions. But their widespread victory over illiteracy, won with difficulty, has brought about the formation of an important group in the liberal professions and the middle classes.

To be sure, the racism provoked surreptitiously by the governing classes manifests itself violently; terrorism of the Ku Klux Klan and the "Dixiecrat" gangsters is carried out particularly in Mississippi, western Tennessee and South Carolina. It is humiliating and barbarous.

Six years after the Supreme Court declared segregation illegal in schools, it exists in 94 per cent of Southern schools.

On the Defensive

NEVERTHELESS, it must be admitted that today, throughout most of the United States, white racists are, generally, on the defensive.

Inhuman excesses have always rallied whites to the Negro cause: politicians like Jefferson Davis or Hugo Black (Supreme Court judge), artists, writers like George Washington Cable. Today, Negro Americans have won in the United States the sympathy of several million whites.

Numerous religious organizations stand against discrimination. Negro art, particularly jazz, has conquered the world. Its political character is expressed in literature and the movies (Moroccan viewers could admire a year ago the admirable anti-racist film "The Defiant Ones").

As a reaction to racism legally enforced by whites, Negroes have reacted with a growing tendency toward militant action. It has produced remarkable leaders who have led Negro masses to demand their rights in the streets, meeting halls, bars, beaches and political conventions. These masses have met police night sticks, KKK baseball bats, police dogs, dynamitings and incendiarism with unbelievable courage and perseverance.

Leadership Movement

THE 19 MILLION North American Negroes represent incontestably the most important leadership movement in the United States because it is profoundly anti-imperialist. It denounces ceaselessly reaction in the United States, the decay of public service, the exploitation of labor, but especially it denounces the neocolonialism of trusts and the aggressive militarism of the Pentagon.

Negroes have suffered in their own skins the repression in Kenya, in South Africa, Angola, Mozambique. They sympathize with the liberation movements of the Arab peoples. They know that Eisenhower intrigues in Havana against liberty. They will never forget the white slave traders who two centuries ago deposited their unhappy cargoes on the American shore.

In fighting thus at the head of the fight against racism and imperialism, for world peace, they have a right to all our admiration and our fraternal sympathy.

THE FOLLOWING is excerpted from Mrs. Butcher's letter to the editor of l'Avant-Garde:

As an American who is a Negro, I was and am deeply distressed by an article which appeared in l'Avant-Garde Sept. 3. The article is consistently specious in tone. Many of its assumptions are unwarranted. Indeed, it contains so many errors of fact and so many indefensible conclusions that it is difficult to know where to begin to comment upon it.

However, the importance of its misrepresentations requires that someone undertake to set the record straight.

First, your writer states that American Negroes are turning their backs on the two major political parties. This is simply not true. For all practical purposes, there are only two political parties in the United States. There has never been and is not now a significant effort for a Negro political party.

At times in the past, third parties have arisen in the United States, and some of these, the Communist Party for example, have made notable, and in the main, abortive appeals to Negro voters. We American Negroes take a great deal of pride in the fact that statistics reveal that we are the largest racial minority in America and yet we have always had only a negligible fraction of our vast number successfully wooed by the Communist approach.

Among many valid explanations for the latter fact is that from the time the Communist Party asserted itself in the United States, it was quite apparent, even to less intellectually discerning Negroes that the organization was not interested in the Negroes' problems per se but rather was interested in setting one group of Americans against another. The effort failed.

AS AN ELECTED delegate from Washington, D. C., to the Democratic National Convention in Chicago in 1956 and again to Los Angeles in 1960, I know very well indeed that the average Negro citizen is as interested as the average white citizen in the programs and candidates of the two political parties.

This year the interest of all citizens is, of course, especially intense. Newspapers and magazines of all kinds, including those published by Negroes themselves, are paying the closest attention possible to the speeches and the activities of the candidates. This year, too, as in other years, many Negroes, both men and women, will seek and be elected to local and national political office.

Do these facts support your writer's contention that the American Negro citizen is neither interested nor involved in the two major political parties? I think not.

SECONDLY, though I have long had an active role in efforts to insure that American Negroes will fully share the rights and duties of American citizenship, I recognize, as most liberals do, that it is nonsense to speak of conservative defenders of the status quo as "gangsters." The great majority of these leaders have demonstrated their high principles and their devotion to democracy by accepting the profound changes of the last decade although frequently their personal convictions were diametrically opposed to those changes.

I believe, as all liberal Americans believe, that when Southern leaders have opposed changes which have improved the Negro citizens' position, they have been entirely in the wrong. I am certain that their efforts to maintain the past relationship between Negroes and whites in the South will not succeed. Indeed, their efforts have already largely failed.

Liberal Americans, white and Negro, have fought and will continue to fight hard but peacefully and legally against the point of view these men stand for. But the fact that

liberals oppose them and believe that they are desperately in error does not mean that we believe that they are "gangsters."

YOUR WRITER says that Negro Americans have "won the sympathy" of many whites. This is an unfortunate choice of words. First, the American Negro neither wants nor curries sympathy from the American whites. We as Americans who happen to be Negroes are working simply for a fuller practical realization of our democratic heritage.

And white Americans who support American Negroes in their efforts are doing so not solely because of the so-called Negro problem. They, too, are working for something larger than any given minority or special group—again, a fuller realization of democracy's basic premises and promises.

With regard to Cuba, I am afraid that the writer would be profoundly disappointed if he were to ask a number of American Negroes what they think of that nation's government and its relations with the United States. Their reactions would be very similar to those of any other American citizen. An interviewer would not, to put it mildly, find them sympathetic with the Castro regime, nor would he find them at all inclined to accept allegations that their country had interfered in the internal affairs of Cuba.

HOWEVER, the most distressing aspect of the article is its contention that American Negroes are homogenous, thinking and acting alike on all political, economic and social questions. No notion could be more fallacious.

Insofar as there is unanimity among Negroes in America, it is that they desire to realize the basic promises and premises of democracy for themselves and their children. But they are far from being agreed on how this can best be done. To say that we represent a concerted "force," 19 million strong, is neither true nor complimentary.

For example, no one knows with certainty how American Negroes will vote this year, any more than one knows how any other group of citizens will vote. It is perfectly possible that Negro citizens will vote for the candidates of the more conservative party rather than for the Democratic Party's candidate. A very large number of Negroes did so in casting their ballots for President Eisenhower in 1952 and 1956.

The truth is that on almost all foreign and domestic issues, American Negroes think and act exactly as one would expect: like American citizens. This is to say that they express every conceivable point of view. And this is as it should be.

WE IN AMERICA are certainly mindful of the fact that we have a continuing measure of racial inequities. But we are working constantly to resolve it. What is frequently discouraging is the fact that foreign observers too frequently use the race issue as an attempt to demean the prestige and power of America and her role in world affairs. America's race question has long been a convenient weapon for opportunists and anti-American propagandists to serve their own ends.

All too rarely do the critics of American race relations take into their accounting the fact that American Negroes are just that—Americans who are Negroes, and that we, like other Americans, all of whom represent some minority in varying degree, are not asking for anything more than what is promised to all Americans.

More and more, almost in daily terms, we are realizing a full measure of the promise.

Racial Troubles Of Finch Jury Told By Negro

LOS ANGELES, March 16.—(AP)—The Negro puror in the Finch murder trial admitted Wednesday that during deliberations he suggested he might throw someone out the window. He said he did it because of racial insults.

Eddie Lindsey, 28, Alabama-born mail carrier and music arranger, said racial slurs were cast at him by "at least two women purors" in the heat of deliberations.

The jury was dismissed last Saturday after reportedly deadlocking 10-2 for conviction of Dr. R. Bernard Finch, 42, accused with his mistress, Carole Tregoff, 23, of murdering his wife. The reported vote on Miss Tregoff was 4-8 for acquittal.

Lindsey said the slurs did not affect his vote, but he said he "returned insult for insult."

After the second day of deliberation, he said, two women purors referred to him as "Sambo" and "Buster Brown."

"I just couldn't take it and answered them with equally embarrassin, insults," he told a reported. "We were just a happy group of people before the insults started."

Lindsey said juror Delores Jaimez, a man of Mexican-American descent, also was a target of insults in the locked chamber—"one of the women jurors called him a 'spic'."

Lindsey and Jaimez reportedly were the holdouts for acquittal.

Mrs. Genevieve Lang has charged that one of the two dissenters threatened to throw her out window of the second-floor jury room.

"I was the one who suggested I might throw someone out the window—if the insults continued," Lindsey said. He said he didn't remember his exact language, but:

"After that, this woman started cutting down on her insults." He didn't identify her.

Mrs. Lang denied there were ravial insults.

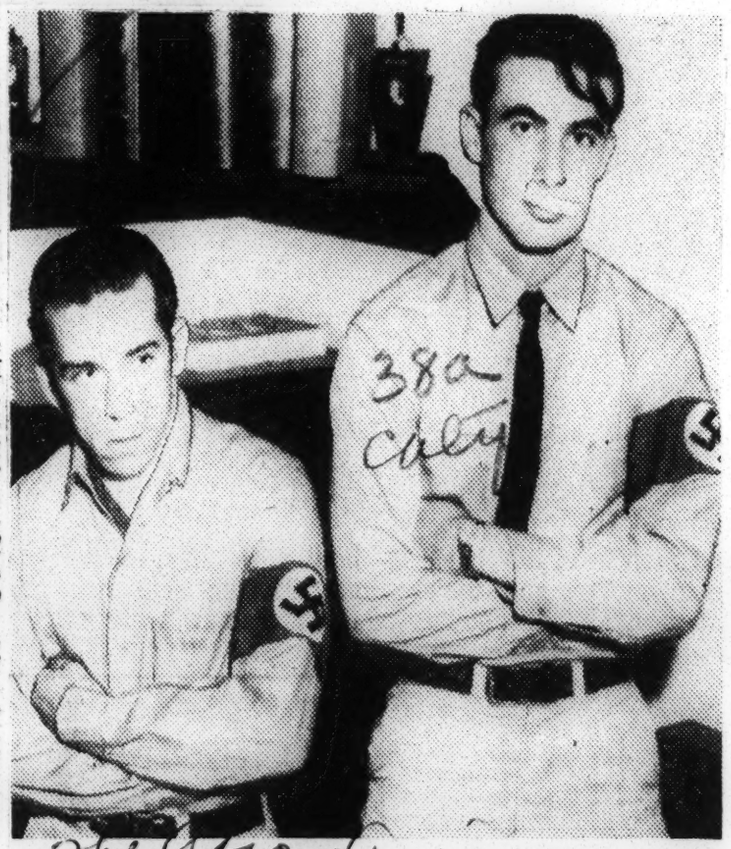
NAACP files suit against town which barred pianist

SAN FRANCISCO, Calif. — Tarea Hall Pittman, acting regional secretary of the West Coast Region, NAACP, has announced that the West Coast Region NAACP legal committee has filed suit against the City of Greenfield on behalf of Bucal E. Moore of Seaside.

Nathaniel S. Colley, chairman of the NAACP Legal Committee is counsel for the plaintiff.

The suit seeks to have the City of Greenfield and the Chief of Police, J. R. Thomasson, show cause why they should not be enjoined from prohibiting Bureal E. Moore or any other person from entertaining or being entertained in their Memorial Building on account of race or color and except upon conditions applicable alike to every race or color.

This suit grew out of the action of the Chief of Police of Greenfield, in Monterey County, when he refused to allow an orchestra to play in the Memorial Building of that city if the colored piano player, Bucal Moore was included among the musicans.



ANTI-SAMMY Fred Joseph, 20, left, and Leonard Holstein, 20, both of Hollywood in khaki uniforms and Nazi armbands they were wearing while picketing in front of the Huntington Hartford Theater in Hollywood where Sammy Davis Jr. was performing recently. Claiming to be unofficial members of the American Nazi Party, they said they had picketed the theatre in protest against the forthcoming marriage of Sammy Davis to Swedish actress May Britt.

Lena Hurls Ash Trays In Nightclub

BEVERLY HILLS, Calif. (AP)— Negro singer Lena Horne was involved in a spat Monday night with a Los Angeles business executive. She claimed he had made remarks about her race.

The argument occurred at the Luau, a posh Beverly Hills nightspot, police said.

When they arrived on the scene, officers said they found an angry Miss Horne and a bleeding customer, who was nursing a small gash over his left eye. He was identified as Harvey St. Vincent, who described himself as vice president of a Los Angeles engineering firm.

Police said the noted singer had admitted throwing a small table lamp and three ashtrays in the direction of St. Vincent.

Officer said Miss Horne claimed she had overheard the remarks while she was sitting with her husband, musician Lennie Haydn. She said St. Vincent and a friend were at an adjacent table.

St. Vincent refused to press charges and declined medical treatment.

Miss Horne is appearing at a Los Angeles nightspot.

Lena Horne Hurls Objects In Offense To Man's Slurs

BEVERLY HILLS, Calif. — (UPI) — Torch singer Lena Horne — incensed at remarks about her race — early Tuesday hurled a hurricane lamp, dishes and ashtrays at a man sitting at a nearby night club table.

"This is America!" shouted Miss Horne as she sttod up from her table. "You cannot insult people like that."

Then she started throwing things. One ashtray hit the man, Harvey S. Vincent, on the forehead, causing a small wound.

POLICE ARRIVE

When police arrived, both Miss Horne and Vincent — later identified as the vice president of Consultant and Designers Inc., an engineering firm—declined to press charges. Only police action was a brief report.

Police Capt. P. R. Smith said investigating officers told him:

"He (Vincent) said something about not liking 'niggers,' and she asked him to stop. But he said it again and that's when the action started.

"The officers out there asked him if he had said that, Smith said, and Vincent replied:

"Well, she is a 'nigger.' "

"I lost control . . ." Miss Horne told police.

WITH HUSBAND

The maitre'd at the Luau restaurant, Don J. Viray, 45, said Miss Horne and her white husband, musical director Lennie Hayton, arrived at the restaurant shortly before midnight.

They were seated in the lounge on a small platform and Vincent was seated with another man at a table right below them in the dining room.

Police said Vincent's companion, Norman Wynne, remarked, "there's Lena Horne."

Officers' reports said Vincent then made a derogatory remark.



P. 3 LENA HORNE

Miss Horne stood up and said: "I can hear what you are saying. Please stop."

Officers said Vincent said something else and Wynne walked away. Miss Horne began throwing things from her table. police said.

Miss Horne, appearing at the Coconut Grove in Los Angeles, was not available for comment.

PRAISES LENA

Her manager, Ralph Harris, said, however "this woman has never done anything like that. She's the most wonderful woman I've ever known. If she did it, he had it coming."

Harris said he had not yet talked to Miss Horne about the incident and was not at the restaurant with her.

Vincent was struck above the left eye and bleeding, said the maitre'd, but took the incident "very gentlemanly" and moved to another table after declining medical care.

Hayton asked that Vincent be thrown out of the restaurant, but the management declined to do so.

Miss Horne asked a policeman later: "Do you think I should apologize to him?"

"That's up to you," the officer answered.

Expert Tells Of California Bias

SAN FRANCISCO — "Although no thinking person can be unmindful of the context of our civil rights struggle against the backdrop of world conditions, I do not believe that making democracy real should be motivated by fear of comunism." Dr George M. Johnson, member of the U. S. Commission on Civil Rights, told members of the Conmonwealth Club of California here during a luncheon.

The Comonwealth Club, organized in 1908, has a membership of 8,500 men — 6,000 of whom are located within a 40-mile radius of San Francisco. The Club, which has been addressed by every President of the U. S. — from Theodore Roosevelt through Harry Truman — provides an open forum for the discussion of disputed questions; investigates state, national and international problems and aids in their solution.

"Civil rights — which basically are human rights — entered our pioneer documents as state sanctions of basic theological concepts," the former dean of Howard university's Law school stated. "The essential dignity of the individual, equal opportunity and equal protection are the very essence of our democratic government. Without them domestic tranquility cannot be established or maintained."

ACTION NEEDED

Dr. Johnson said throughout the country the Commission has observed that active and positive personal and private action is needed to implement civil rights legislation. "Proclamations and pronouncements espousing equal protection and equal opportunity for all are not enough."

He said the Commonwealth Club, as an organization of community leaders, can have a profound effect upon the course of civil rights in California.

Deprivations based on race, color or national origin do exist in 1960 California, the civil rights expert said.

After quoting statistics which indicate that Negroes, who constituted less than one per cent of San Francisco's population in 1940, made up seven per cent San Francisco Bay area, when of the population in 1958 (55,200 out of a total of approximately 800,000) Dr. Johnson said attractions to industry appear to have been the primary reason for Negro migration.

"The general problems flowing from the influx of migrants to large urban areas are accentuated, for instance, in the the newcomers are non-white," he said.

"Racial segregation, the vest-

igal step-child of an even more cruel institution, immediately confronts more of the Negro migrants during their all too often disheartening search for housing."

Masons Bar 32nd-Degree Cole From Auditorium

The Pittsburgh Courier Pittsburgh, Pa.

Nat Can't Swing at Masonic Hall

Sat, 2-27-60

SAN FRANCISCO — Nat (King) Cole, barred from appearing at Masonic Auditorium, was slapped in the face with the revelation that even though he is a 32nd degree Mason, "he is not recognized by any grand lodge in the U. S. as being a member."

Lloyd Wilson, grand secretary of the California lodge of Masons, said, "We've had half a dozen Negro performers here and were happy to have them. But other people in the general field of renting advised 'Don't have Nat King Cole.'"

Alvin A. Horwege, manager of the Nob Hill auditorium, said, "There is no assumption on the man's color. We just don't want the class of people Cole attracts." Observers were perplexed by this statement since Cole appears at the most exclusive clubs in the world. Recently he shattered attendance records at New York City's plush Copacabana.

■

COLE'S MANAGER, Carlos Gastel of Hollywood, said ironically the singer himself is a 32nd degree Mason. Cole was in Puerto Rico and could not be reached for comment.

Horwege said that in recent weeks three Negro singers, Ella Fitzgerald, Dakota Staton and Dinah Washington have appeared at the 3,200-seat auditorium.

Wilson added "We're not confronted with the problem, but if we were I wouldn't have Elvis Presley here either. We don't want people who jump on seats."

■

THE COMPARISON with Presley and other more energetic singers brought a laugh from a West Coast music critic who said Wilson obviously is a "square." Everyone knows Cole's forte is the smooth, sentimental ballad, the newsman said.

Charles Stern, who booked the San Francisco date, said the singer played the Fairmont Hotel and had no difficulties. The March 5 appearance has been switched to the 7,800-seat Civic Auditorium.

WILSON continued, "If Cole is a 32nd degree Mason, and I have no reason to doubt it, he then of necessity is a member of a Negro lodge. Therefore, he is not recognized by any grand lodge in the U. S. as being a member. The Negro lodges have no standing with us throughout the U. S. as Masons.

This is the second time Cole has been denied a showing at the Masonic Temple. He was turned down two years ago for the same reason.



NAT (KING) COLE
. . . unwanted

Lena Horne Tiff Explains Her 'No Cafes' Decision

Chicago Defender

Loose-Tongued Patrons Often Hit 'Below Belt'

Sat 2-27-60

Lena Horne's resentment of what she considered "improper remarks" in direction of her from a Hollywood cafe customer at a nearby table that resulted in her tossing ash tray and cup at the alleged "heckler" may answer a major question.

The question: "Why did Miss Horne and Dorothy Dandridge as well, announce they were giving up night club work? It might well be that the popular and famous artists tired of undergoing tongue "lashing" antics of few over-imbibed among customers they are attempting to entertain.

Miss Horne and husband were seated in a Hollywood cafe, enjoying the entertainment and eating late lunch following star's appearance on the Frank Sinatra show. Seated at a table near-by was a party that included Harvey St. Vincent, who for some reason, according to Miss Horne made some uncomplimentary remark that appeared to be directed at the Horne table. This Miss Horne and her hubby resented and within a few seconds cups and ash trays began flying like pigeons with result. St. Vincent, ended up with gash on his forehead.

Few days later Miss Horne was advised that St. Vincent intended suing her. But La Horne doesn't appear disturbed over the rumor. Miss Horne who testified that she overheard St. Vincent making anti-Negro remarks says she was sorry he felt that way but added: "I could sue him for defamation of character."

Yes, this may well be the answer for those who have wondered why the popular artist frowns on working night clubs.

STAR GAZING:

Lena 'Smoking hot' in LA; Dot Dandridg a woman!"

The names of Lena Horne and Dorothy Dandridge were on the tongues of the nation's TV viewers for the better part of the past week. . . . The two lovelies appeared on topline network programs on successive nights — Dotty with Ed Sullivan on Sunday and Lena with Frank Sinatra, et al, on Monday. . . . By Tuesday, Miss Horne was the talk of the nation as a result of the ash-tray throwing incident in which she struck back at a race-baiter who insulted her in a Hollywood restaurant.

Of Lena's current act at the fashionable Cocoanut Grove in Los Angeles, Variety says: "Miss Horne is a perfectionist . . . . knows exactly what her audiences want. . . . Her singing's in the superlative degree, be it smoky hot or balading. . . . she gives such individual stylizing to her songs that she leaves her rapt listeners begging lustily for more. . . . If she doesn't chock up a new record for the Grove during her stay, it's only because the place will have to burn down."

La Dandridge provoked considerable criticism because she devoted her time on the Sullivan show to selling her sex. . . . Many viewers didn't approve, most of them women. . . . but in fairness to Dotty, it should be remembered that, in selling sex, she was capitalizing on her most salable commodity.

The London Daily Sketch points out in no uncertain terms that Miss Dandridge "is a woman" (and who can't see that?) in its review of the film, "Moment of Danger".... In the flick, Dotty is co-starred with Edmund Purdom. . . .The story gives no thought to the Dandridge complexion. . . . In the first scene, she and Purdom kiss. . . . later Dotty and Trevor Howard fall in love. . . . racial themes are ignored, forgotten. . . . Dandridge is the feminine lead, just as she would be if she were Deborah Kerr, Gina Lollobrigida, Kay Kendall or the like.

Sam Cooke back at top of the Variety "Best Bets" list with his newest disc, "Teenage Sonata . . . . So, Jack Paar is returning to NBC. . . . wonder what's his hurry?

Earl Grant was set to move into New York's famed Copacabana this week (Thursday) following his Sunday night guest appearance on the Ed Sullivan TV show. . . . Earl's latest LP is an appealing thing called "Paris Is My Beat". . . . He also has a pair of promising singles: "Two Loves Have I" and "House of Bamboo."

Ella Fitzgerald drew a total of 9,004 customers on her recent stand at the Fairmont Hotel in San Francisco. . . . Thrush thus broke the record of 8,260 set by Nat King Cole two years ago. . .Ella's $7,000 weekly take also was a new high. . . .Hazel Scott's American comeback (after two years abroad) will be launched April 18th at Freddie's Club, Chicago.

Barbara Stitt, ex-wife of bandleader Sonny Stitt, reported ready to take the vows again. . . .prospect: a New Jersey druggist.

Night clubs on the Nevada side of the Squaw Valley Olympics scene, have quietly lifted their long established bans on colored patronage.... The NAACP early in the year



LENA HORNE
". . . I got blazing mad"

THE MANAGER of the Luau restaurant (who was out of town when the incident occurred) wired his apologies to Miss Horne and her husband, Lennie Hayton.

The management of the Ambassador Hotel flooded the beautiful singer's apartment with beautiful red roses.

Late Wednesday, however, St. Vincent indicated he might sue, but his attorney said no decision had been made.

Miss Horne retaliated with the statement:

• "I could sue him, also, for defamation of character. He is anti-Negro. My only anger is directed against something that is wrong, not at something I have to apologize for.

"Really, I don't like to make scenes like that, but some times people push too far."

ALSO, ST. VINCENT claimed, later, he was not a racial bigot, and denied he made any racial slurs.

The engineer claims he commented that "there is an attractive colored girl sitting at the bar." He added that he "became aware of an attractive woman in a white turban, standing over my table raging."

• Miss Horne, however, said several other patrons of the place "came over and were very apologetic about the whole incident after he insulted me."

At press time, many Hollywood notables still were contacting Miss Horne with comments that they felt she was justified, highly, in her reaction to the alleged insults.

Tells AFRO of plans to file suit

HOLLYWOOD, Cal. — The threat by a white restaurant patron to sue Lena Horne for gashing his face with a conch shell, was met Wednesday by a promise of similar action on the part of the singer.

Harvey St. Vincent, 30, vice president of a Belair (Cal.) engineering firm, declared Tuesday that he was considering taking Miss Horne to court following a Monday night dispute in which he suffered a cut over the left eye.

He said he had discussed with his lawyer the advisability of suing the star for damages.

Miss Horne, informed of the threat, countered with a hint that she might do the same, accusing St. Vincent of defamation of character.

MISS LENA HORNE

AT THE same time that she answered the St. Vincent warning with one of her own, Lena disclosed that she has been showered with telegrams from all over the country, approving her action.

Miss Horne and her husband, Lennie Hayton, stopped in at the fashionable Luau Club Monday night. After being escorted to their table, Hayton instructed the waiter to take the order from Miss Horne while he made a telephone call.

"Daddy (Hayton) had no sooner left," Miss Horne stated, "than this man (St. Vincent) and another, later identified as Norman Wynne, took a seat at a table on the tier directly beneath us.

"I heard the other fellow, Wynne, say, 'There's Lena Horne.'

"St. Vincent looked. 'So that's Lena Horne, huh?" he said. 'Well, she's just another n—r to me. All n—rs look alike to me, and there ain't nothing they can do for me."

* * *

"I TURNED," Lena continued, "and told him it was obvious he had raised his voice intentionally; that he meant for me to hear him. I said I didn't have to take it.

"He retorted, 'Well I still say all n—rs look alike to me and that includes you.' When he said this, his companion got up and moved to another table. He (St. Vincent) sat there glaring.

"At that point, I guess I was just pushed too far. I got mad and wanted to throw something at him."

Miss Horne said she picked up a conch shell, used as an ashtray, the nearest thing at hand, and threw it. He was struck in the face. She declared she may have thrown some other things, but she wasn't positive about it.

* * *

ACCORDING TO Don J. Viray, headwaiter at the club, the singer tossed two other ashtrays and a small table lamp. The police arrived in a few minutes.

"When my husband returned, he saw me standing there and knew something had happened. On learning what it was, Dad dy had to be held.

"He was furious and I didn't want him to get to the other side of the room where St. Vincent was talking to the cops.

"He finally got away from me and was on his way up to the man when the police stopped him and told him, 'We're handling it.'"

When Miss Horne was asked whether it was true that she apologized to St. Vincent, she blazed: "Whoever wrote that must have been too naive to recognize the sarcasm.

"Maybe it was the cop who gave out that business. If so, he missed entirely what I meant when I asked him, what did he (the cop) expect me to do, apologize to him (St. Vincent)?"

ONLY A SHORT time before the incident at the Luau, Miss Horne had been seen throughout the nation on the Frank Sinatra TV spectacular.

She shared the guest limelight with Mrs. Eleanor Roosevelt.

She is currently appearing at the Cocoanut Grove in Beverly Hills.

At the conclusion of her stay there late next week, the singer goes to Palm Springs for a ten - day engagement. Following that, Miss Horne will be in Miami until April.

On April 4, Lena opens an indefinite stand at the Waldorf Astoria Hotel in New York City.



MISS LENA HORNE
'I didn't have to take it . . .'

'No Intention Of Apologizing,' Lena Horne Says

By CHESTER L. WASHINGTON

(Exclusive to The Courier)

HOLLYWOOD—"I prefer fighting my battles with the NAACP and in a place like Little Rock, but when that man insulted my race, I just got boiling mad and I popped him. And I have no intention of apologizing to him!"

This was the exclusive statement given The Courier by Lena Horne, explaining why she hit Harvey S. Vincent, engineer, with an ash tray in the swank Beverly Hills Luau restaurant last week.

In her luxurious apartment at the Ambassador Hotel, where she is starring in the Coconut Grove, Miss Horne gave her first exclusive, personal account of the entire incident, especially for The Courier:

- **"I was eating with my husband in the Luau restaurant where we have dined before and always had been treated warmly and cordially. My husband had just left our table to phone some friends.**
- **"Just beyond the bamboo separation at the next table, the waiter had mentioned the fact that 'Lena Horne was here!'**
- **"The man at the table replied, 'That lousy n ---- . I do not like n ----- s. I don't care who they are. That n ---- b---- shouldn't be here.**

"I got blazing mad and stood up and said, 'Maybe you better know that I am here. Take a good look. This is America . . . and I don't have to take that.'

- **"The man didn't seem a bit apologetic about it. I asked him to stop the insults and he wouldn't. I boiled and grabbed a lamp, but it slipped out of my grasp. Then I picked up an ash tray and threw it directly at him.**
- **"Usually, I don't create incidents like this . . . but this thing just happened. In a way, I'm sorry this man had to learn in such a strenuous manner, but I think he got what he deserved, and I have no intention, whatever, of apologizing.**

"It would have been better if my battleground would have been centered around a place like Little Rock, but still, I get fighting mad when someone insults my race!"

■

THE ENRAGED Miss Horne actually tossed three ash trays, one of them scoring a direct hit on St. Vincent's forehead.

However, apparently realizing he was in the wrong, when the police arrived (they say he admitted making the remarks), St. Vincent said he would not press any charges against the singer.

In her plush suite, Lena was surrounded by admiring friends who had just given her a heart-warming ovation for her enchanting singing performance in the Grove, downstairs, and scores of her Hollywood admirers were congratulating her on her courageous stand.

Miss Lena Horne

(AN EDITORIAL)

Recently, Songstress Lena Horne was quoted as saying that she supported the NAACP and other rights groups and let them do the talking. Her job, she suggested, was to sing.

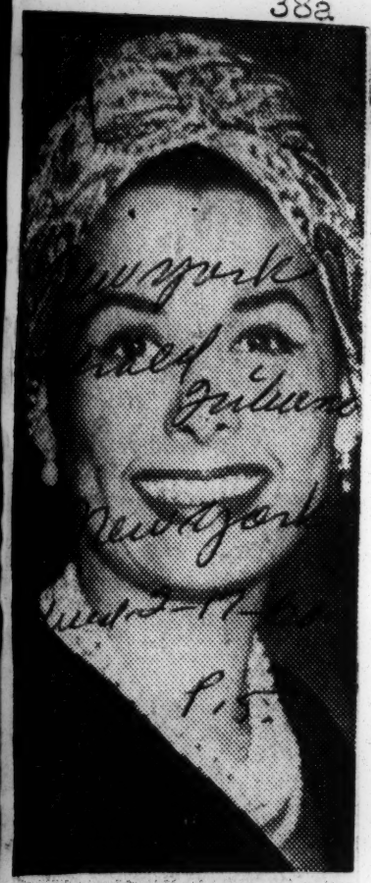
She was quoted as saying words to this effect: "I would hardly look proper standing up in a $1,000 gown singing 'let my people go.'"

This week, Miss Horne came face to face with the kind of racial insult many of her brown-skinned neighbors get, and she proved that singer or not, she couldn't take it without exploding.

When a white restaurant patron loudly and repeatedly referred to her with that ugly six-letter epithet too many people carelessly utter, she let go with several ash trays in his direction.

The incident indicates that while we may resolve with the best intention always to be dignified and cultivated ladies and gentlemen, we can be aggravated to the point where we take things in our own hands and show resentment with whatever weapons are available.

When this happens we do not wait for the NAACP, the Urban League, Civil Rights Commission or any other organization to do our fighting.



IN RACIAL FRACAS—
Actress-singer Lena Horne.

Lena Horne Hurls Lamp at Diner In Racial Slur

BEVERLY HILLS, Calif., Feb. 16 (AP).—Negro singer Lena Horne loosed a barrage of conch shells and a lamp in a plush restaurant last night, protesting alleged remarks about her race by another diner. Police gave this score: three misses, one hit.

Officers said one missile opened a cut over the left eye of Harvey St. Vincent, thirty, vice-president of an engineering firm. He declined medical treatment. There were no charges filed.

The singer and her white husband, musician Lennie Hayton, were seated in The Luau a few feet from Mr. St. Vincent. When Mr. Hayton left to make a phone call, Miss Horne allegedly heard disparaging remarks from the other table.

She told police she "lost control" because the remarks continued and let fly with a hurricane lamp and three conch shells.

Police said she told Mr. St. Vincent: "I can hear you and I want you to stop making those insulting remarks. After all, this is America and you cannot insult people like that."

She said she opened fire only when he "persisted in calling me names."

Police said Mr. St. Vincent admitted making the remarks.

38a 1960

CALIFORNIA STATE COLLEGE
SAN JOSE, CALIF.

SIT-IN ACTIVITY BARS STUDENTS FROM COLLEGES.
(ST.JOHN DIXON,22-NEGRO STUDENT
ALA.STATE COLLEGE..TURNED DOWN)

Sit-In Activity Bars Students From Colleges

SAN JOSE, Calif., Sept. 23.—(UPI)—California state colleges have a policy to refuse admittance to students expelled from Southern schools because of sit-in demonstrations, President John T. Wahlquist of San Jose State College, said Friday.

His statement was made as state Atty. Gen. Stanley Mosk called for an investigation in the case of St. John Dixon, 22, a Negro student expelled from Alabama State College, Montgomery, Ala.

Mosk asked superintendent of Public Instruction Roy Simpson to investigate a complaint received by the attorney general from faculty members at San Jose State.

The teachers said they aided Dixon financially to come here so he could continue his education. Dixon, a junior accounting student from Mobile, Ala., was turned down by the school.

Wahlquist said Dixon's race was not a factor in the decision. He pointed out that San Jose State has Negroes in the student body and on the faculty.

He said it was the standard policy of colleges throughout the nation not to accept transfer students who do not have an honorable discharge from their schools. This would affect sit-in demonstrators who were given dishonorable discharges, he added.

Wahlquist said the policy was discussed by presidents of the 14 California state colleges—and it was not altered because of the sit-in demonstration situation.

In requesting the investigation, Mosk told Simpson he could not believe that participation in sit-in demonstrations should prevent "this young man from completing his education in the free, non-segregated atmosphere of California."

ATLANTA NEGRO COLLEGE STUDENTS

Negroes Lay 3 Wreaths on Capitol Steps

Atlanta Constitution
Atlanta, Ga.
July 5 1960
p. 17

Several Atlanta Negro students placed three wreaths on the steps of the State Capitol Monday morning in a quiet demonstration against segregation.

With each wreath was a sign quoting the Declaration of Independence. It read, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights. 2nd Continental Congress 1776 Committee on Appeal for Human Rights 1960."

The only spectators at the Independence Day demonstration were newsmen who had been notified it would take place.

Shortly after the wreaths were placed at three entrances of the Capitol, they were taken inside by Capitol guards acting under instructions from Secretary of State Ben Fortson.

The Capitol was closed for the July 4 holiday, but Fortson, who is in charge of the grounds, often is on duty during holidays. He said he was in his office on a routine matter when the students placed the wreaths on the Capitol steps.

"I just had the guards clean away all debris from the steps," Fortson said. "I'll have the wreaths put in my office."

Fortson, who was being pushed in his wheel-chair by his Negro helper of 31 years, Charles Sims, instructed the guards, "Don't tear them up, don't hurt them. Put them in my office."

One of the Negro students said his group "felt a mass of people couldn't demonstrate, but this would get the point across."

38a 1960

COMMITTEE OF SOUTHERN STUDENTS

Dixie Calls White Women To Halt Integration Wins

GREENWOOD, Miss. (ANP)—Hard-core segregationists in the magnolia and sorghum regions of the deep South have called up their last remaining corps of reserves to fight off advances being made by Northern integrationists, particularly the NAACP.

The gallants of the old South must be making a last stand with their backs to the wall when they are willing to enlist their most sacred symbol of supremacy—young white women, er pardon, ladies—for what may be the final rally of their weakened forces.

Anita Wacht, who comes from the state which produced the last two Miss Americas, evidently feels that she and her very feminine troopers can succeed with beauty, brains and feminine wiles where the Eastlands, Talmadges, Thumonds and Faubuses have failed.

Miss Wacht, a beautiful flaxen-haired native of this city, has organized a female elite corps known as the "Committee of Southern Students."

Made up entirely of Southern-bred coeds in Northern universities, the CSS will launch a campaign beginning in September to see that their fellow students get a chance to hear the Southern viewpoint on racial issues.

A student at Smith College in Northampton, Mass., Miss Wacht, has vowed to use her natural endowments to counteract pro-integration demonstrations which swept the campus earlier this year when widespread sympathy was expressed for sit-down demonstrations aimed at jim crow lunch counters in the South. She said:

"The Northerners actually do not know conditions in the South. They are pushing for something that seems great, honorable, liberal and humanitarian in some nebulous way and want to impress their utopian ideas on a group which—probably surprisingly to the North—has had virtually no trouble except that in-

Yale Students Picket Store

NEW HAVEN, Conn. (AP) — Eight Yale students picketed a Woolworth store Friday in what they called a demonstration against racial segregation in the South.

Police first interfered with the demonstration, but then, after some of the students talked with Mayor Richard C. Lee, let them go ahead.

Leaflets passed out by the students said: "We are attempting to communicate to others that Woolworth's branches in Greensboro, Raleigh, Fayetteville and Durham, N.C., like many other Southern stores, treat their Negro customers undemocratically and deny to them the same seated meal service provided to white people."

Negroes in some parts of the South recently have been trying to force admission to lunch counters of some stores.

The students included Sam Bowles, son of Rep. Chester Bowles (D-Conn). Two of the eight are Negroes. Three are students at the Yale Divinity School.

The demonstration lasted a couple of hours. It gathered no crowd.

Lunch Bias Row Flares At Princeton

Woolworth Picketed, Fistcuffs Break Out

Fighting broke out among Princeton University students yesterday as rival factions demonstrated in front of the F. W. Woolworth Co. store in connection with the barring of Negroes at lunch counters in the South.

Other demonstrations protesting the segregated lunch counters went on without incident in Manhattan, Peekskill, N. Y., and Ithaca, N. Y.

In Princeton, about thirty students began picketing the store at 1 p. m. with signs reading "Human rights are not a five and dime affair." Another group, led by members of the Colonial Club, an undergraduate eating club with a high percentage of Southern members, according to police, arrived on the scene with placards reading "Faubus for President."

The two groups began throwing punches at each other, police said, and tearing up each other's placards. Police broke up the brief melee and there were no arrests.

Manager Bemused

The picketing continued unmolested until 6 p. m. B. L. Wampler, store manager, said: "I don't see what the pickets are accomplishing. Some of my best customers are Negroes."

In New York City, a line of 150 young men and women carried placards and asked customers not to patronize a Woolworth store on Herald Square. Another thirty-five from the Bronx division of Hunter College picketed the Woolworth store at East Fordham Road and Valentine Ave., the Bronx

In Peekskill, a token picket line of eight persons marched in front of the Woolworth establishment but did not seek to inkfluence customers.

Fifteen Cornell University students picketed a downtown five and ten-cent store in Ithaca.

3-a 1960

COLORADO

Reprimand policemen for detaining African

The Afro American
Baltimore, Md.

DENVER, Colo. — A Denver police captain and four patrolmen have been reprimanded and assigned to lesser duties for their part in the detention of a visiting newspaper reporter from Ghana.

Widespread local indignation was aroused by the temporary detention of Kofi Badu, sports editor of the Ghana Times, who was visiting the United States under the State Department's cultural exchange program.

Denver's Manager of Public Safety made two separate apologies to Badu and said he was writing a letter of explanation and apology to Ghana Ambassador W. M. Q. Halm in Washington. This was followed by the reprimand and reassignment of the policemen involved.

The incident occurred when Badu photographed a police detail arresting two drunken persons. The officers questioned Badu and took him to the station in a police van, though he told then he was a guest of the U.S. State Department, and was taking pictures as a souvenir of his visit.

At headquarters, Badu was bought before Police Captain Lee Raedel who dismissed him without charges after telling him "not to interfere with police matters and that tourists should mind their own business."

Badu's camera was returned to him, but as he picked it up, the side fell off and the film was spoiled.

Denver Director of Public Safety, John M. Schooley, after an investigation he ordered, said the Ghanaian newspaperman had every right to take any picture he wanted to in Denver.

38a 1960

CORE
CONGRESS OF RACIAL EQUALITY

KENTUCKY STATE COLLEGE

Teacher Links Purge To CORE Activities

The Montgomery Advertiser

Montgomery Ala

FRANKFORT, Ky. (AP)—Kentucky State College dismissed two teachers and expelled 12 students Sunday, charging they fomented student opposition to school regulations. But one of the teachers said the real reason was the group's CORE activities.

Dr. R. B. Atwood, president of the predominantly Negro college, said he did not know which of the students were members of CORE —the Congress of Racial Equality.

He said they were expelled by the school's executive council for leadmg or taking part in student demonstrations the past week. Students boycotted the campus snack bar and cafeteria two days to back up demands for more privileges and better food.

Atwood said he dismissed Asst. Prof. Arthur Norman, 31, and instructor Robert E. Boyd, 32, because an investigation convinced him they furnished leadership for the demonstrators.

Norman said he, Boyd and the 12 students had taken no part in the demonstrations. He said all are Negroes and members of the local CORE chapter. CORE has organized sit-in demonstrations here and in other cities, mainly to protest racially segregated lunch counters.

Norman, who is from Philadelphia, called the school action incredible but said the administration had warned against CORE work.

INTIMIDATED STUDENTS

He said Atwood had intimidated students and called the expulsions "typical of his dictatorial way."

Norman and Boyd, from Johnson City, Tenn., have been teaching here since last September.

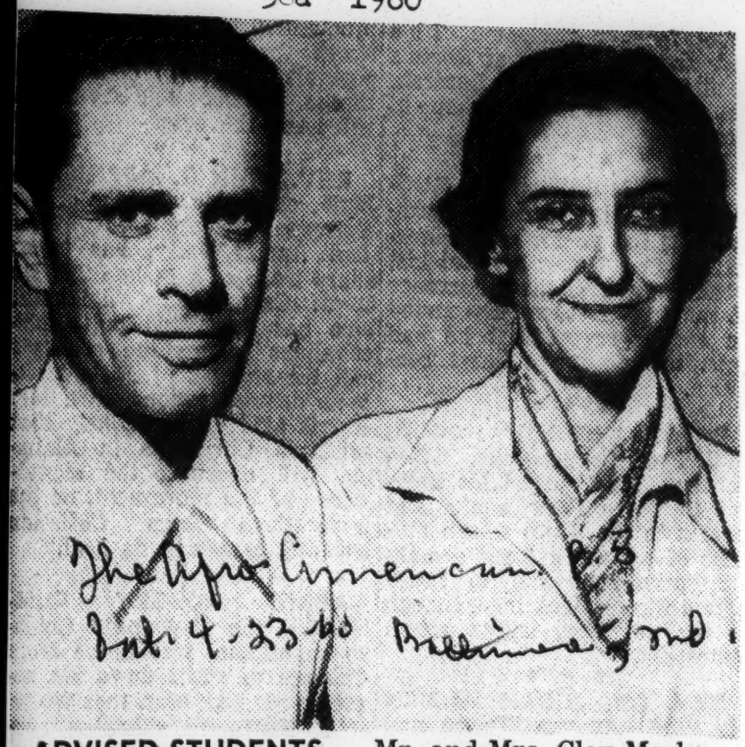
The students expelled were: Samuel H. Bolden, 20, New York City; Owen L. Carter, 22, Newport; Mary A. Cossey, 25, East Chicago, Ind.; Jay D. Detweyler, 21, Lynch; Lillian Graves, 18, Brooklyn, N.Y.; Amanda Hodges, 17, Indianapolis, Ind.

Frank T. Howard, 27, Miami; Edward D. King, 20, North Pelham, N.Y.; George F. Mahin, 18, Louisville; Marlene E. Tentman, 27, Coxton; Lester Tripp Jr., 24, Brooklyn, N.Y.: and Jerome L. William, 19, Ft. Knox.

38a 1960

CORE

CORE
MR. AND MRS. CLAY MARKS



ADVISED STUDENTS — Mr. and Mrs .Clay Marks, 1129 Eighth St., NW, are just back from a month's tour of Southern lunch counter demonstrations, where they advised student leaders on techniques of protest and other aspects of social action effort. The Markses are members of the Committee on Racial Equality (CORE), chief group in current movement.

38a 1960 D.C.

Rep. Hartke Urges End to City's Negro Diplomat Discrimination

The Washington Post
Washington, D.C.
Mar 6 1960

Sen. Vance Hartke (D-Ind.) has asked the State Department and the District Commissioners' Council on Human Relations to join in an effort to end discrimination against Negro diplomats here.

"With new African nations being established almost every day and the necessity for representation in Washington, we cannot afford to delay action in this field," Hartke wrote Secretary of State Christian Herter.

In letters to Herter and Col. Frederick J. Clarke, acting president of the Board of District Commissioners, Hartke cited an article by reporter Milton Viorst, published Sunday in The Washington Post.

The article characterized Washington as "a hardship post for Negro diplomats."

Hartke, a member of the Senate District Committee, took special note of difficulties encountered by diplomats in finding suitable housing. He suggested that Washington real estate interests be included in the discussions.

"I am sure that you will agree," Hartke wrote Clarke, "that the District Government has some responsibility in this matter.

"For more than a decade now, great progress has been made within the District in the matter of human relations But, as the article indicates it is difficult to convince new ly arrived diplomats from Africa who have suffered from discrimination in this city that this is true."

Clarke's reaction was favorable. He said the problem of discrimination also applies to Asians.

"If we could do anything to ease the problem for the diplomats and help the State Department," Clarke told a reporter, "I think the District would be willing to study the problem and see what could be done."

Lincoln White, State Department press officer, said there would be no departmental comment until Herter replies to Hartke.

38a 1960

Integration shines in D.C. hospital

The Afro-American, Baltimore, Md.
Sat. 6/11/60

WASHINGTON

Washington is a bright spot in the dim picture of hospital integration in the country, according to Dr. Edward C. Mazique, president of the National Medical Association (NMA).

Non - white doctors in the North encounter "problems that are as great as the problem in the South," he said Saturday before the Fourth Imhotep National Conference on Hospital Integration at 15th Street Presbyterian Church, the Rev. Robert P. Johnson, pastor.

"We have achieved a great deal in Washington, but there is still much to be done," Dr. Mazique said.

All public and private hospitals, except one in the District, have colored doctors on the staff, he stated.

The exception is Columbia Hospital, he said. To his knowledge, no colored physician ever applied there for staff membership.

* * *

"THERE SHOULD be more colored doctors on hospital staffs," Dr. Mazique said of improving the picture in the District.

Another area for improvement is patient integration in private hospitals, he said.

He cited steps taken by NMA to break down segregation in medical and hospital care throughout the country.

They include cooperation on the local level between NMA units and representatives of the National Bar Association for legal action, promotion of Federal legislation and demands for non - discrimination in health plans sponsored by government or private firms.

* * *

DR. JOHN W. LAWLAH, conference chairman, said about 50 doctors from out of town were expected to attend the two - day meeting.

He opened the conference with a recent progress report.

Dr. Joseph L. Johnson, president of the Medico - Chirurgical Society of the District, gave a report on local developments.

Doctors heard another report on local developments by Dr. Harold O. Nickens, chairman of the society's committee on medical education and hospitals.

* * *

OTHER SPEAKERS were Dr. Earl B. Smith, Pittsburgh; Dr. Reginald Hawkins, Charlotte; Dr. Emery L. Rann, president of Old North State Medical Society.

Clarence Mitchell of the NAACP Washington bureau, John P. Morris, Chicago attorney; Elwood H. Chism, NAACP Legal Education and Defense Fund, Sterling Tucker, executive secretary of the Washington Urban League.

Dr. Robert G. Morris Jr. president of Cook County (Chicago) Physicians Association, Dr. Edward Sprott Jr., Beaumont, Tex., Dr. Von D. Mizell, Ft. Lauderdale Fla.

Dr. Lawrence Lackey, president of Detroit Medical Society; Dr. Marcus W. Moore, Monumental (Baltimore) City Medical Society, Dr. D. Webster Davis, Richmond, and Theodore D. Perkins, administrator of Provident Hospital, Baltimore.

A summary of the conference was given by Dr. W. Montague Cobb, editor of the Journal of the National Medical Association.

U. S. Court weighs cafe race policy

The Afro-Am
Baltimore Md.
6-25-60

The U. S. Court of Appeals is considering whether an Alexandria Hot Shoppe illegally refused service to a Washington attorney on the basis of race.

The attorney, Charles E. Williams, 40, 1300 block Shepherd St., NW, who works for Internal Revenue Service, told the Appeals Court Tuesday, that it did.

THE APPEAL was from an earlier decision by District Court Judge Joseph C. McGarraghy, who dismissed a $5,000 suit Mr. Williams had brought against the Hot Shoppe at 900 N. Washington St., Alexandria.

Judge McGarraghy based his ruling on a previous one by Federal Judge Albert V. Bryan. In that case, Mr. Williams had stated that another restaurant, the Howard Johnson restaurant, had no right to discriminate since it is engaged in interstate commerce.

Judge Bryan ruled that the restaurant was not directly engaged in interstate commerce and was not required to do business by the state.

* * *

JUDGE McGARRAGHY, in dismissing Mr. Williams' latest suit said the issues were essentially the same as in the previous one.

Mr. Williams contended the second suit raises a different issue. He stated that Virginia law and custom compel a restaurant to discriminate. The attorney said that when he was refused service at the Hot Shoppe on Nov. 5, 1959, he was told by the manager that it was because of his color and not for personal reasons.

Talks Possible On Glen Echo Segregation

Evening Star
Washington, D.C.
Sat. 7/9/60

Amusement Park Official Declares 'We'll Negotiate'

The operators of the Glen Echo Amusement Park and the leader of a group of demonstrators protesting segregation at the park said today they are willing to negotiate.

Samuel Baker, secretary treasurer of the corporation which runs the musement center, said, "we'll negotiate with anybody to try to solve the problem.

But Laurence Henry, the Howard University divinity student who has been spokesman for the demonstrators, said he has been trying to get in touch with Mr. Baker, or his brother, Abraham, to hold a meeting and has been unable to do so.

He said he though a meeting might be set up today. Samuel Baker yesterday apparently tried reaching Mr. Henry by phone and asked that the group's leader contact him.

Connections Missed

Mr. Henry said he has been trying to see either of the Bakers while out at the amusement park but his requests have been in vain.

Samuel Baker told a reporter that "we haven't made up our minds yet" over action on the situation. He said the policy to refuse Negroes admission to Glen Echo has been in effect since the park opened 50 years ago.

The Bakers took over Glen Echo when the Capital Transit Co. sold the park shortly before the transit firm was sold in 1956.

Mr. Henry said the picketing will continue again today starting about 1 p.m. and ending when the park closes. He said the demonstrations will go on "indefinitely."

Injunction Sought

Yesterday six Negroes sued in Federal Court in Baltimore asking for an injunction to prohibit any further arrests of Negroes trying to enter the amusement park.

Nine Negroes and four white persons were arrested during five days of demonstrations at the park. Most of the Negroes were arrested by Glen Echo Special Policeman Francis J. Collins, who is also a deputy sheriff for Montgomery County. Those arrested in the park were charged with trespassing.

The defendants named in the suit were Montgomery County Sheriff Luke J. Bennett, jr., Mr. Collins and the two corporations which own and operate the park.

Last Sunday two demonstrators were charged with disorderly conduct when the group refused to make room for picketing by members of George Lincoln Rockwell's "American Nazi Party" who sought to demonstrate against the anti-segregation group. In that case the arrest was made by Glen Echo town policeman, Ronald H. Vine.

Genealogical Society Votes Negro Ban

The Washington Post
Washington, D.C.
Mon. 11-21-60

The National Genealogical Society, which concerns itself with family trees, hos voted against admitting Negroes to membership.

Society officers reported yesterday a nation-wide poll of its members ended in a vote of 497 to 246. There are about 1300 members in the organization and about 57 per cent voted, President William H. Dumont said.

The issue arose last March when a Negro staff member of the National Archives applied for membership. The resulting controversy led to the referendum.

The Society, which holds monthly meeting and publishes a quarterly magazine, traces American family lineage. Its members often help trace lineage of applicants for other genealogical and patriotic societies.



SEGREGATION DOESN'T PAY...

FILES SUIT — Eighteen-year-old Gwendolyn Green is one of six Glen Echo demonstrators who are plaintiffs in the suit seeking an injunction against arrests which have been made there. Gwen, a sophomore at Howard University, also took part in the successful North Virginia sit-downs. Her 22 - year - old sister, Cornelia, is also one of the Glen Echo pickets. They are the daughters of Mr. and Mrs. Frederick Green, 5038 8th 8th St., NE.

Park pickets 'study in human relations'

By FRANK HUNT

WASHINGTON

The scene at Glen Echo Amusement Park should prove a fascinating study to the student of human relations, with a special emphasis on "Our American Way of Life."

It is threaded with contradictions and paradoxes, some subtle, others glaringly obvious. Incidents are constantly occurring which poignantly highlight the significance of the times and the inconsistencies inherent in any state in which the ideal as put forth in the law of the land is not acceptable to the entire populace.

Most prominent of these paradoxes is the categorically opposed picket lines — that of the protestors against the segregated park on one hand, and the competing picket line of George Lincoln Rockwell and his adherents on the other.

* * *

THE FIRST group is usually more than five times as large as the second. Its members vary from the very old to the very young.

There are people like Faith Bissell who has tasted the poison of discrimination and found it impalatable. Miss Bissell was arrested several years ago for defying the Virginia law which dictates segregated seating in public assemblies. She sat with a colored friend at a political meeting in Arlington.

There are fresh, youthful blond, blue - eyed protestors walking beside tanned, dark-haired ones, faces sobered with a kindred spirit of dedication to a common cause.

The placards they bear herald the ideals universally considered guiding beacons of mankind's destiny.

* * *

THE OTHER picket line led by George Lincoln Rockwell, head of the "American Nazi Party," usually has about 12 to 15 members. All wear khaki shirts with red armbands on which are painted blue swastikas.

They are young men, laughing and smiling, seemingly exalting in the levity with which they can kick in the teeth the spirit of those who fought and died for the principles which they denounce.

The taint of regimentation and uniformity innate in the ideals for which the party stands is evident in the khaki shirts and red armbands on which swastikas are painted. The lead picket carries a swastika symbol on a long staff.

Most of them have bandaged limbs, red with what appears to be blood.

Now and then Rockwell will pat a man on the back or express concern over his wounds.

Whether or not the bandages obscure real damages has been open to question. If not, what they are supposed to mean is also a matter of conjecture.

* * *

THE SIGNS the Nazis carry are of an anti-colored and anti-semitic nature, vindictive and insulting.

It has been questioned as to whether the placards are offensive. One of the protestors against the segregated park was ordered by the police to destroy his sign.

The bystander observes both groups, and is reminded that both acquire their right of self-expression from the same source in the law. He then is moved to speculate just how far freedom of expression is justifiable.

* * *

COLORED PICKETS are not allowed to cross the park's parking lot which is the public path to the main entrance. On the first day before they had began picketing and were congregated on the parking lot, they were told to vacate the parking lot and stand outside the railing which separates the parking lot from the county road.

Then they were reprimanded by the Montgomery County police for creating a traffic hazard.

The pickets solved the problem by walking across the parking lot to a 15-foot wide space where the transit company unloads its passengers.

The space extends about 300 feet to the main parking lot. The pickets have been confined to picketing in front of the main entrance on transit property, and also at the entrance to the west parking lot.

In order to get from one entrance to another, they must walk along the 300 foot transit company property. The tract is obstructed by a bridge over a 50-foot tully. The bridge has been boarded up and a "No trespass" sign has been nailed to the obstruction.

Pickets cross this obstruction daily in passing from one picket line to another. No one has been arrested for violating the "trespassing" sign.

* * *

IT HAS ALSO been speculated as to the Glen Echo Park's owners' attitude toward having George Lincoln Rockwell and the American Nazi Party as bedfellows. The park owners Samuel and Abraham Baker are reported to be Jewish.

One is reminded that such paradoxes probably could exist "only in America."

Glen Echo Pickets Seek U. S. Support In Injunction Suit

Lawyers for 6 Negroes Appeal To Rogers to Intervene in Case

By John Anderson
Staff Reporter

The Justice Department was urged yesterday to support six Negroes' anti-segregation suit against Glen Echo Amusement Park.

Their lawyers, Charles T. Duncan and John Silard, appealed to Attorney General William P. Rogers to intervene in the case, which may become an important precedent in civil rights law.

"The Justice Department's active participation seems clearly appropriate because the case involves the unlawful use of police for the enforcement of segregation by a business establishment catering to the public," they declared in a letter to Rogers.

The suit seeks a Federa injunction prohibiting the amusement park from enforcing its tradition of barring Negroes.

Demonstrations against racial descrimination have been held at the park almost daily since July 30. The six people who brought the suit have all taken part. Five of the six are college students, and one is a secretary employed by the AFL-CIO.

The park's guards are sworn as special deputy sheriffs and have used that authority to arrest 13 of the demonstrators for trespassing. The demonstrators' suit specifically asks the court to prohibit further trespass arrests.

Intervention by the Justice Department would lend its prestige and experience to the demonstrators case. Perhaps more important—and here the decision has political overtunes—this kind of support would declare the demonstrators' suit to be consistent with the Department's civil rights policy.

The opening skirmish in the suit, a hearing on a preliminary injunction, was originally scheduled for Thursday in Baltimore Federal Court. But William G. Clark, lawyer for the amusement park. said he would ask a delay of at least two weeks.

Pickets marched again last night in front of the amusement park and at the Hi-Boy restaurant in Rockville, which also refuses to serve Negroes in its lunchroom.

Legal block challenged

By FRANK HUNT

WASHINGTON

One of the major legal blockades erected against the sit-down demonstrations was challenged Friday when attorneys representing the Glen Echo demonstrators brought up the question of whether or not state or local governments can deputize persons to enforce discriminatory practices of private concerns.

Simultaneous with the resumption of picketing Friday, a suit seeking an injunction against the Glen Echo arrests was filed in Federal District Court in Baltimore.

The suit marks the first time since the start of the wave of sit - down demonstrations last winter that the demonstrators have seized the legal offensive.

38a 1960 D.C.

To Get Away From It All

The Washington Post
Washington D.C.
Fri 10-28-60

Mystery Shangri-La for Doctors (Male Only) Offered, $20,000 Each

By Jerry Landover
Staff Reporter

For a mere $20,000 down, doctors in the Washington area can relax luxuriously in a guarded, secret, private secluded limited-membership hideaway only an hour's drive away.

Members (males only) may bring one guest each, provided the guest is 21 or older.

Invitations to join "Touraine House, Doctors Secluded Club," have been mailed to practititioners of medicine and dentistry in the area by a mystery man who lives somewhere in northern Virginia.

Brochures accompanying the invitation say the location of the secret estate will be made known with the receipt of $20,000. That sum covers the first four years of membership.

Recipients of the brochures were asked to return application blanks to Isca Elise Jones, at 2704 S. Adams st., Arlington, a Fairfax County teacher.

Miss Jones said she had been hired to prepare the mailings but she declined to identify the sponsor except to say he lived in Northern Virginia. The hideaway is to a place where busy, overworked doctors can find isolation from the harassment of their profession she said.

At least one doctor invited, Dr. Arthur Z. Metzger, of 6930 Old Dominion drive, McLean, a pediatrician, passed up the offer to join.

Metzger said he didn't want to strengthen the sponsor's impression that 35 doctors—the limit of membership—can fork over $20,000 to buy privacy.

Actually, the Secluded Club offers considerably more. It offers swimming pools, tennis courts, tennis courts, golf ranges, putting greens, trapshooting areas and a stocked lake.

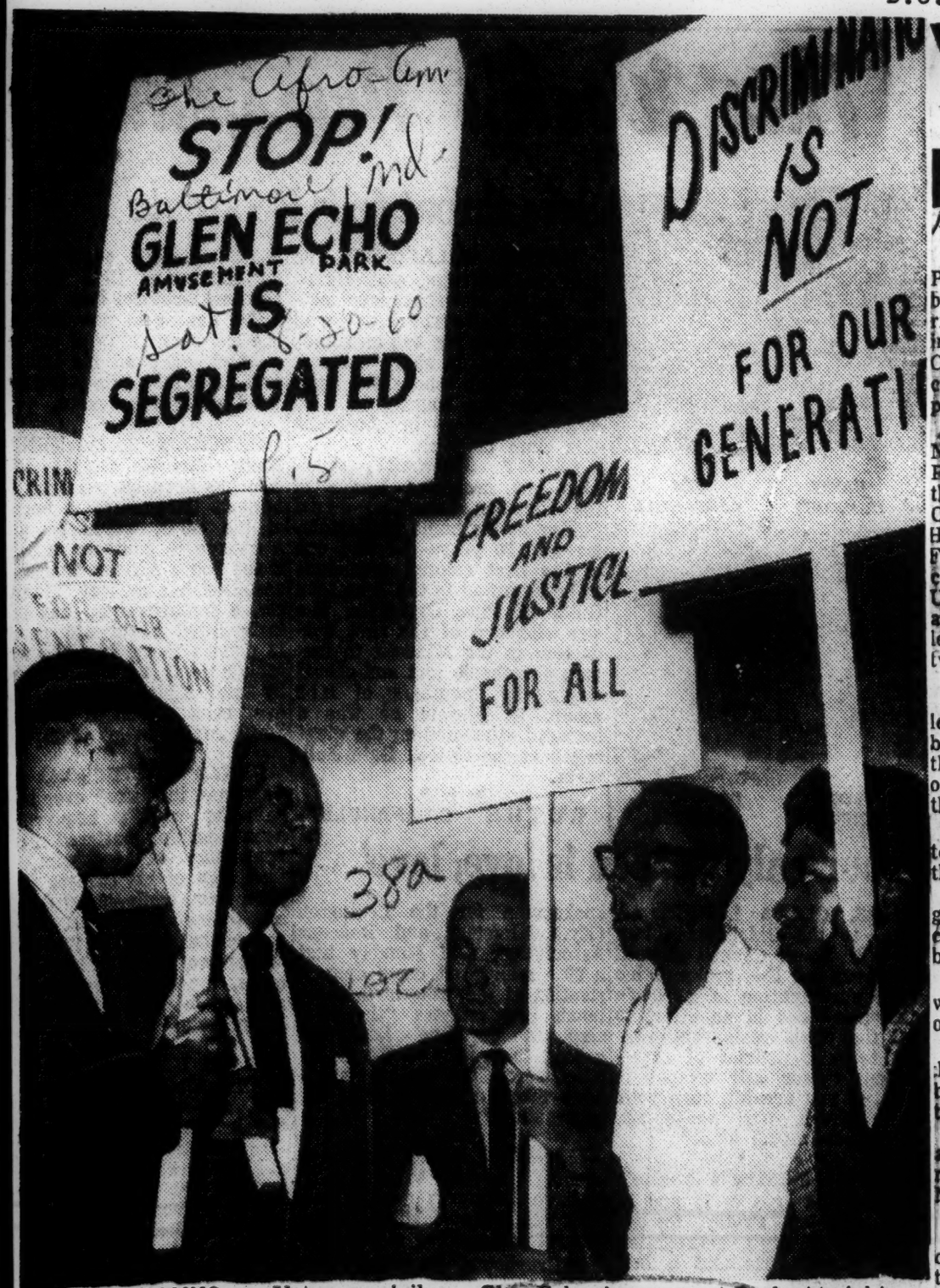
And it offers these other inducements:

"Members may take residence three weeks annually. Also, all weekends and overnight residence. By reservation.

"The identities of members and guests a matter of utmost confidence. Mansion house reserved for members and guests only.

"Estate gates locked at all times. Patrolled by guards."

"Your Security and Relaxation The Only Objective."



CLOSING RANKS — Veteran civil rights leaders Roy Wilkins, executive secretary of the NAACP (left), and A. Phillip Randolph, president of the Brotherhood of Sleeping Car Porters, join forces with sitdowners at the Glen Echo Amusement Park. At right are Laurence Henry and Gwendolyn Green. In center is Hyman Bookbinder, legislative representative of the AFL-CIO.

Wilkins and Randolph join pickets at Glen Echo Park

WASHINGTON

The segregated Glen Echo Park was viewed Wednesday by three well-known civil rights leaders who, after leaving a Civil Rights Leadership Conference in the District, decided to go out and join the picket line beseiging the park.

Executive Secretary of the NAACP, Roy Wilkins and A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, along with William H. Randolph, who heads the Fair Practices and Anti - discrimination Department of the United Automobile Workers, and several local civil rights leaders, spent an average of two hours on the line.

MR. WILKINS, who had to leave early to catch a plane back to New York, revealed that he had received a number of invitations to appear on the line.

Speaking briefly to the integrated group, he commended them for their efforts.

"These movements for integration sometimes take on a cumbersome air with a lot of book work involved.

"But when the battles are won, this takes place right here on the picket line.

"The participants as well as the general public learn and beliefs are solidified and reactions determined right here.

"Here you have people who are merely trying to win the right to enjoy themselves," the NAACP leader added.

* * *

A. PHILIP RANDOLPH also congratulated the group on their fight, which has been going on since June 30.

"It's a great pleasure to see you both whites and colored in quest of rights that are constitutionally given," he added.

Leader of the movement, 26-year-old Howard Divinity student, Laurence Henry, thanked the guests for their appearance and expressed the opinion that the picket line would continue until victory resulted.

"We have found that what we are doing here may have far reaching effects. Not just for us and the people in this vicinity, but for sitdowners all over the nation."

* * *

MR. HENRY was apparently referring to the suit which six of the 14 arrested at Glen Echo park have filed. The suit seeks an injunction against the use of state police authority in enforcing the discriminatory policies of private concerns.

Glen Echo's use of deputized officials to make arrests embodies this principle, the plaintiffs claim. The suit is expected to set an important precedent in civil rights.

Negro Picketing Leader Is Ousted by Followers

Laurence Henry has been replaced by another Howard University student, Woody Jenkins, as the head of the anti-segregation movement at the Glen Echo Amusement Park.

Some 30 pickets met Friday night to elect, for the first time, the formal roster of officers for their Metropolitan Area Non-Violent Action Group. Henry received no office.

The shift in leadership resulted from charges that Henry failed to consult his followers on strategy decisions or advise them of his plans.

The new leaders declared they would continue to picket the amusement park and the Hiser Theater in Bethesda, both of which refuse to admit Negroes.

Henry commented: "The whole thing is that they claim they haven't had enough voice, that I've been dictating. They wanted to have a hand in policy making."

Leonard S. Brown, another Howard student and spokesman for the new leadership, said, "These changes came about because the group felt it was necessary to have a more democratic organization."

Jenkins, 20, is a senior and a physics major. Henry is a 26-year-old divinity student.

The revolt was touched off by Henry's attack on Senator Joseph A. Clark (D-Pa.) last Sunday at a rally held in a District church by the National Association for the Advancement of Colored People.

The week before Clark led a move to table a Republican civil rights bill which, the Senator charged, was merely an attempt to embarrass the Democrats.

Henry threatened to stage a sit-in at Clark's office. Brown later termed this "the heigth of irresponsibility."

The first reaction came from Bannockburn, a community neighboring Glen Echo, whose residents have provided enthusiastic support in the demonstrations.

At a meeting Monday night a group of Bannockburn residents, including several union officials, asked Henry to apologize. He would not.

At midweek, a meeting mostly of students from the District drafted an apology.

The following day these students, including Henry, went to the Capital for a meeting with Clark, arranged by Hyman Bookbinder, a legislative representative of the A.F.L.-C.I.O. and a Bannockburn resident active in the demonstrations. Clark came off the floor to receive the group's written apology. It was acclaimed him as a major figure in the battle for civil rights legislation. But Brown refused to recant.

Park Bars Negroes

5 Congressmen Join Pickets Against Bias

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 9-

By ALICE A. DUNNIGAN

WASHINGTON—The presence of five congressmen in the picket line at Glen Echo Amusement Park resulted in a conference with the lawmakers and the park management.

Expressing their disapproval of segregation practiced in a public park on the edge of the nation's capital, four Democratic congressmen and one Republican appeared on the scene of the picket line which has been thrown around this amusement park for several months.

Four of the five grabbed signs and marched with the pickets. They were Congressmen Charles Porter of Oregon, Adam Clayton Powell of New York, Charles C. Diggs of Michigan, and Seymour Halpern of New York.

Congressman Byron Johnson, Democrat of Colorado, lent moral support but refused to carry a picket sign. He contended that negotiations should be held first and the picket line should come only if negotiations failed.

■

WOODIE JENKINS, newly elected chairman of NAG (Non-violent Action Group) said they had tried again and again to discuss this matter with Leonard Warnoff, manager of the park, but he had refused to see them.

Congressman Johnson stuck to his contention until an impromptu conference was arranged with the manager and the Congressmen.

At the close of the hour-long conference, the Congressmen said they had stated their case to Warnoff, and read planks from both the Democratic and Republican platforms dealing with this form of discrimination.

They said they were pleased with the attitude of the park manager, who said he would relay their message to the owners, Abram and Samuel Baker.

CONGRESSMAN PORTER said he hoped that the committee of five could talk with the Baker brothers, who reside in Miami, Fla., before Congress adjourns.

The Congressmen let it be known that "nobody disagrees with the principal of the strikers." They assured the management that "integration is not only morally right but it is also good business."

The manager privately admitted that the business at the park had greatly fallen off. On the day of the Congressmen's visit the dogs" and reduced the "rides" dogs" and reducted the "rides" to five cents in an effort to lure a bigger crowd, but even these efforts failed.

There were apparently more people on the picket line than inside the park.

IT WAS ESTIMATED that 300 persons were on the picket line, about two-thirds of whom were white. The line was finally divided into two lines covering both entrances to the park.

Perhaps the junior of the pickets was seven-year-old Joe Flynn. The little white lad, who resides with his parents at Glen Echo Heights, Md., carried a sign which said, "Don't Buy Segregation at Glen Echo."

One of the more interesting signs was carried by an 11-year-old white boy, Daniel Talpers. The sign warned: "Stay Out Kids —Your Folks Will Tell You Why."

Two Congressional employes also joined the line. They were Gloria Correthors and Weston Diggs. Miss Correthors, who works in the office of Congressman James Roosevelt, carried a picket which said "Segregation is Un-American."

Diggs, a nephew of Congressman Diggs and an employe in the Old House Office Building, carried a sign which urged citizens to "Spend for Integration—Not Segregation."

No Change of Policy Foreseen

Glen Echo Park Closes for Season; Pickets Promise to Return in Spring

The Washington Post
Washington D.C.
A-1-B
Mon. 9-12-60

Glen Echo Amusement Park closed for the season yesterday, with pickets pledging to resume their protest against the park's ban on Negroes when it reopens next spring.

Pickets, both white and Negro and including men, women and youngsters, have since June 30. Leaders said they foresee no change in policy before the park reopens.

The peaceful demonstrators demonstrated at Glen Echo carried placards yesterday saying: "We will be back as patrons or pickets."

They had a 4- by 6-foot placard, with a picture of the U. S. Capitol on one side and with places for sympathizers' signature on the other. The card is to be sent to the onwers of the park.

But Leonard Woronoff, Glen Echo manager and spokesman for the owners, Abram and Samuel Baker of Miami, said yesterday he knows of no intention to admit Negroes next spring.

Leading the pickets yesterday was oWodie R. Jenkins Jr., 20, a Howard University physics student and chairman of the recently-formed Non-Violent Action Group—abbreviated NAG.

Earlier in the day, Jenkins appeared on a radio broadcast to outline the progress of anti-segregation demonstrations in the Maryland suburbs.

He said his group was encouraged by the recommendation of the Montgomery County Council's Commission on Human Relations that the County drop Glen Echo from its public recreation program.

Laurence Henry, 25-year-old Howard University physics student who led the sit-in demonstrations at Northern Virginia lunch counters, also led the Glen Echo demonstrations earlier this summer.

The pickets yesterday were undismayed by the showers. They took shelter when the rain got too heavy, but they came out quickly to resume their picketing.

Glen Echo and Hiser Theater in Bethesda are the two main holdouts against admitting Negroes. The Hiser Theater has been picket also.

Five college students who attempted a sit-in demonstration in a Prince Georges County bowling alley were arrested last Thursday on charges of trespassing, disorderly conduct, interfering with police and destroying private property. Henry was among them. Jury trial is set for Sept. 20 in County Circuit Court.

The demonstrators against the Glen Echo segregation policy have the support of the National Association for the Advancement of Colored People and of numerous residents in the Bannockburn area.

Woronoff, the Glen Echo manager, declined comment yesterday on the Commission on Human Relations recommendation, on grounds that legal action involving the pickets is in progress.

The cases of 15 demonstrators charged with trespassing are scheduled for court action in Rockville today. A Federal judge in Baltimore refused last month to ban use of State authority to enforce segregation under Maryland's trespass law.

38a 1960 D.C.



SWIMMING TOGETHER — Negro and white children swim together in the swimming pool of the Sheraton Park Hotel in Washington where Alpha Phi Alpha Fraternity held its convention recently. The Alphas broke segregation barriers at the pool, and integrated swimming proceeded without incident.

Government declines suit intervention

WASHINGTON — The request of the six Glen Echo pickets filing suit against the segregated Amusement Park for federal intervention on their behalf was denied by the Justice Department.

A letter from the Civil Rights Division addressed to Charles T. Duncan and John Silard, attorneys for the demonstrators, stated that the Justice Department could intervene as a "friend of the court" only if the trial judge requests such intervention.

"However, in the absence of some indication by the court that it would benefit by the views of the department of Justice, the department would not consider such participation at the trial stage," the letter stated.

Attorney Duncan asserted that legal counsel for the plaintiffs were "considering making such a request to the trial judge, but have not yet decided to do so."

* * *

THE SUIT WAS filed July 8 in Federal District Court in Baltimore. A preliminary hearing has been set for August 4.

It seeks to prevent the park from using deputized officials in making trespass arrests. It maintains that the state is thereby enforcing the segregated policies of private concerns.

The suit represents the first time protestors against segregated businesses have taken the legal offensive since the start of the recent wave of sit-down demonstrations.

It is reported to be the broadest attack on segregation practices in private businesses that has been filed in the Federal Courts, and is hoped to set an important precedent in civil rights law.

Pickets have been demonstrating at the park since June 30.

* * *

ANOTHER Montgomery organization rose up in arms against the use of the segregated Glen Echo pool in the County's recreation program this week and denounced the injustice of the program.

The Montgomery County Education Association, an organization of educators 3300 strong, in a letter to the County Council pointed out that their own group had been integrated long before integration of schools in the community took place.

"We feel strongly that our county places itself in an untenable position when it offers segregated recreational facilities to children during the summer while during the other ten months of the year we are desegregating our schools for teachers association said in a letter addressed to Grover K. Walker, president of the Council.

"The association offered "complete cooperation" in finding a solution to the problem. They commended the council on the organization of a bi-racial committee.

Glen Echo Pickets End Protests for Season

A rain-soaked band of pickets staged a final demonstration at the Glen Echo (Md.) Amusement Park last night with signs proclaiming they would return, "as pickets or patrons," when the park reopens next April.

The pickets, members of the District area non-violent action group, together with neighborhood sympathizers, have marched outside the park in protest against its segregationist policy since last June 30.

Park managers shut down the amusement area nearly two hours before the scheduled 11 p.m. closing, because of the rain. Nearly 150 pickets continued the demonstration for another 25 minutes until 9:30 p.m.

Police Stand By

Montgomery County police and two members of the Aquaduct police force stood by until the demonstrators disbanded.

A brief scuffle occurred when an Alexandrja youth angrily approached the picket line, stating he was looking for his wife, a picket. In the scuffle, one of the demonstrators fell or was pushed into a mud puddle. Police warned the youth to stand clear of the line. No arrests were made.

Woodie R. Jenkins, jr., a Howard University student, who is chairman of the local non-violent action group, addressed a meeting of the demonstrators after the park closed.

"If this park does not desegregate by next April, we'll be back," he said. Of the more than 100 pickets on hand, only a dozen were Negroes.

Court Appeanrance

Earlier in the evening, the marchers were joined briefly by Victor Reuther, president of the Washington Chapter of Americans for Democratic Action, and Omer Becu, a Belgian, general secretary of the International Confederation of Free Trade Unions.

Several of the marchers planned to appear in Rockville's Peoples Court this morning for the first of the court hearings involving trepass charges placed against the pickets during the summer.

Leonard Woronoff, park manager and spokesman for Abram and Samuel Baker, owners of the amusement center, said yesterday the impact of this season's picketing "did not seem to affect the patronage by the general public."

Mr. Woronoff said the park "had a very good year."

5 Glen Echo Trespassers Get Top Fines

Five more demonstrators against segregation at the Glen Echo Amusement Park were convicted of trespassing and fined yesterday in Montgomery County Circuit Court.

The group, which included three Negroes and two whites, was arrested July 2 after leaving a picket line and racing through the park to a restaurant with Glen Echo policemen in pursuit.

Judge James H. Pugh, who heard the case without a jury at the defendants' request, fined the demonstrators $100 each. This is the maximum penalty for trespassing.

The judge said he considered it "unthinkable" for the demonstrators to have used this means to attempt to force the park management to change its segregation policy.

He rejected an argument by the defense lawyer, Joseph H. Sharlitt, that it was unconstitutional for the park guards, who are State deputy sheriffs, to use the State authority to make the arrests.

Mr. Sharlitt said, "The police cannot be used to implement a policy of segregation. They can't exclude Negroes simply for being there."

The udge said there would be "chaos" if police were not allowed to arrest persons who refused to leave private property.

In a stiff lecture to the pickets, the judge defended the righ of a businessman to run his business any way he sees fit.

He noted that the Government requires integration in areas under its jurisdiction.

Noting that peaceful picketing is permitted by law, Judge Pugh said, "I don't agree with that, but I have to abide with that decision." He said he felt the picketing interfered with a man's right to run his own business.

Convicted yesterday were Janet H. Lewis, 19, of the 700 block of Kenyon street N.W.; Cornelia A. Greene, 20, of the 5000 block of Eighth street N.E.; Rohyl J. Stewart, 18, of the 1700 block of Upshur street, N.W., all Negroes.

Also, Helene D. Wilson, 25, of the 1900 block of N street N.W., and Martin Schain, 20, of the 2100 block of O street N.W., both white.

The Glen Echo trials, which started Monday, were scheduled to continue today with a hearing on disorderly conduct charges against Lawrence Henry, 25-year-old Howard University divinity student, and another demonstrator.

Montgomery Asks End of Bus Use To Glen Echo Pool

The Evening Star
Washington D.C.

Council Majority Would Stop Transportation of Swimmers

Fri. 9-9-60

By DANA BULLEN
Star Staff Writer

A majority of the Montgomery County Council said yesterday that the county should stop transporting children to the segregated swimming pool at Glen Echo Amusement Park.

County buses have been carrying white children to the segregated pool in connection with the county's summer recreation program. Negro children have been taken to integrated pools in the District.

Members who said they favored halting the practice were David L. Cahoon, Joe M. Kyle, William F. Hickey and Stanley B. Frosh.

The other three council members, Mrs. Stella Werner, Grover K. Walker and Jerry T. Williams, declined to discuss the subject.

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Support Advisory

In backing an end to the present practice, the four council members were following a recommendation of the council's Commission on Human Relations.

The commission said Wednesday the county should stop using its buses and personnel to carry children to the segregated swimming pool.

The recommendation was the first made by the commission since it was created July 12.

An end to use of county buses to carry children to the pool also has been a major aim of demonstrators who have picketed the amusement park almost continuously since June 30.

Question of Timing

"My own feeling is that there was no question from the beginning that this program would be abandoned," said Mr. Cahoon.

"It was only a question of timing," he said, noting that ending the program earlier would have affected summer recreation plans.

Mr. Hickey noted that the commission had been told by County Attorney Alfred H. Carter that he thought it was unconstitutional for Montgomery County to transport children to the segregated pool.

"In principle, Mr. Carter is absolutely right," Mr. Hickey said. "Unless there is something we don't know, the council should do whatever it can to implement the recommendations of the commission."

Suggested Commission

Mr. Frosh, who originally suggested the idea of creating the Commission on Human Relations, said, "we'd be breaking faith with the commission we created if we didn't follow its recommendation."

He said the park owners, Abram and Samuel Baker, apparently had been unwilling to change their segregation policy when the commission attempted to get them to consider "an amiable and orderly transition."

Mr. Kyle also noted the county attorney's opinion that the present practice is unconstitutional and said it should be stopped.

Mr. Kyle said he hadn't wanted to take action during the summer months because of the county's contract with the amusement park and because he "didn't like to be pressured."

"I think if we do it now, it's the result of calm consideration rather than a stampede," he said.

In addition to the transportation item, the commission recommended preparation of a new plan "whereby the children of Montgomery County can enjoy a swimming program without regard to color, race or creed."

Council action would not affect this year's summer swimming program, because the program ended August 19.

Glen Echo Trespassers Fined as 'Foolhardy'

The Evening Star
Washington D.C.

Five Negroes were convicted in Montgomery County Circuit Court yesterday on treaspassing charges filed June 30 when they entered Glen Echo Amusement Park and boarded a merry-go-round.

Tue. 9-13-60

Judge James H. Pugh, who heard the case after the defendants waived a jury, fined them $50 each. He said the Negroes had been on a "foolhardy expedition" that could have resulted in rioting.

The judge said 40 anti-segregation demonstrators had gathered in Washington and were "coming into Maryland to make a private corporation change its policy."

"In other words, they were going to take the law into their own hands," he said. "There could have been serious trouble."

Suit Suggested

Judge Pugh said the Negroes exposed themselves to possible harm and possible riots. He said the attack on the amusement park's color bar should have been made "in an orderly fashion" in a civil suit.

"In this county, above many, many counties, we have accepted the rule of integration quietly, openly and without any disputes," the judge said. "There is no reason for this court to change this method of integration."

Charles T. Duncan, defense attorney, had urged the judge not to consider "the peaceful efforts of these students" as a violation of the trespass law.

Mr. Duncan argued that the park's owners, in operating a place of public amusement, "by their own choice forfeit some of the rights they would have if they were operating a private club."

He argued it was unconstitutional for amusement park guards, deputized as State deputy sheriffs, to use their State power to make arrests that assisted the park in maintaining its color bar.

Arrests Defended

James S. McAuliffe, jr., the assistant State's attorney who prosecuted the cases, said he thought it could "hardly be the law" that the deputies could not arrest trespassers.

"I suppose they must hire men with clubs and pistols to patrol their grounds," he said. "Must we stand on the sidelines and just look on as these property owners battle it out with these people?"

Convicted yesterday were Gwendolyn Green, 18, of the 5000 block of Eighth street N.E.; William Griffen, 25, of the 3000 block of Thirteenth street N.W.; Michael Proctor, 19, of the 1200 block of S street N.W.; Marvous Saunders, 22, of the 1800 block of Eleventh street N.W. and Cecil Washington, jr., 23, of the 1300 block of Quincy street N.W.

Attorneys for the five said they will appeal the convictions to the Maryland Court of Appeals. Trials were scheduled for today in 15 other cases connected with picketing at Glen Echo.

End Bias Toward Negro Diplomats, Senator Urges

Baltimore Sunday Sun
Washington D.C.
Wed. 9-7-60

WASHINGTON — (ANP) — The Senate Department and the District Commissioner's Council on Human Relations were urged last week to take steps to end discrimination against Negro diplomats in this country.

P. 4

The demand was made by Senator Vance Hartke, Democrat of Indiana. In letters sent to Secretary of State Christian Herter and Col. Frederick J. Clarke, acting president of the Board of District Commissioners, Senator Hartke pointed to reports that Washington serves as a "hardship post for Negro diplomats."

It is generally known among real estate dealers that diplomatic families of darker races have difficulty in securing adequate housing in areas suitable for their status in life.

PROBLEM AN ACUTE ONE

The Indiana Senator warned Secretary Herter that this government cannot afford to delay action in this field since "new African nations are being established almost every day." These nations must necessarily have representation in Washington.

In the letter to Clarke, he stated that "the District Government has some responsibility in this matter." He agreed that great progress has been made within the District in the matter of human relations in the past decade, but it will be hard to convince African diplomats arriving in the U.S. and being subjected to discrimination that this is true.

He said that this problem of discrimination is also applied to Asians. It is expected that Secretary Herter will soon make some public reply to Hartke's charges.

Swim Program Banned In Segregated Glen Echo

The Evening Star
Washington D.C.

The Montgomery County Council has stopped the use of segregated Glen Echo Amusement Park for a children's swimming program sponsored by the Department of Recreation.

The council gave unanimous indorsement yesterday to a resolution by the Commission on Human Relations recommending that public school buses and county employes no longer be used to transport children to racially segregated facilities for recreation department programs.

Wed. 9-14-60

The swimming pool at Glen Echo was used by more than 2,000 white children last summer for lessons and other swimming, while Negro children were transported to pools in the District where there was no segregation.

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County Manager Mason A. Butcher was requested by the council to make a study to "determine a practical plan whereby the children of the county can enjoy a swimming program without regard to color, race or creed."

Readied for 1961

Inasmuch as the 1960 swimming program ended two weeks ago, the effect of yesterday's action will not be apparent until next summer.

The commission's report, the details of which were announced last week at a meeting of the group, was made by Mrs. Ann Brown, chairman of the commission, which was appointed several months ago by the council to investigate discriminatory practices in Montgomery.

In other business, the council revived a long-discussed plan for a housing code in the Metropolitan area's highest-income county. It authorized Mr. Butcher to make a survey of present conditions to determine the extent of substandard homes.

Dr. William J Peoples, county health officer, told the council that the last census shows that there are 97,000 dwelling units, which would authorize punishment for overcrowding, sewage and construction violations.

Dr. Peeples emphasized that there is a need for community education before a housing ordinance actually can be passed. He suggested that a committee be appointed to study the matter.

Legal Factors Checked

The county attorney's office reported that its staff already has looked into the legal aspects and has been collecting codes from other localities for the last year, in anticipation of developing housing standards in Montgomery.

Dr. Peeples pointed out that Prince Georges County is considering passing such regulations, which would authorize ago, the effect of yesterday's action will not be apparent until next summer.

Dr. Peeples outlined a "natural disaster plan" to co-ordinate medical, police and fire-fighting facilities in event of calamity.

The plan, approved by the council, could be brought into effect if hospital facilities were strained by a train wreck, severe hurricane or other such catastrophe, Dr. Peeples explained.

5 Negroes Face Trial For Sit-In at Glen Echo

The Evening Star
Washington, D. C.

Refuse to Leave Merry-Go-Round As Pickets Parade 6 Hours at Gate

By JOHN LAWSON
Star Staff Writer

Fri. 7-1-60 p. 1

Five Negroes who carried their sit-in demonstrations to Glen Echo Amusement Park were arrested for trespassing last night when they refused to get off the merry-go-round.

The five, all later released on bond, were among 75 Negro and white persons who picketed in front of the park's main gate for almost six hours before leaving at midnight.

There were no incidents as demonstrators paraded with placards, tried unsuccessfully to get service at an eating place and sat on the halted merry-go-round while music blared from loudspeakers.

Guards Keep Watch

Nearly a dozen park guards kept a close watch inside the

Picture on Page B-2

park as three squad cars of Montgomery County Police were stationed in the parking lot outside.

Arrested were: Gwendolyn Greene, 18, of 5038 Eighth street N.E.; William Griffin, 25, of 3562 Thirteenth street N.W.; Michael Proctor, 19, of 1229 S street N.W.; Marvous Saunders, 22 of 1906 Eleventh street N.W. and Cecil Washington, jr., 23, of 1318 Quincy street N.W. Mr. Washington is a clerk; the others are all Howard University stundents.

All were released on $100 bond pending appearance in Bethesda People's Court at 1:30 p.m. Tuesday.

The Negroes immediately engaged Washington attorney Joseph H. Sharlitt who advised them to go home on their release. Mr. Sharlitt was arrested by Federal Aqueduct Police for speeding as he left the park.

Aided Virginia Protest

The group was led by the same demonstrators who protested segregation of eating facilities in northern Virginia last month. The sit-in demonstrations resulted in desegregation of lunch counters at drug, variety and department stores.

The demonstrators arrived yesterday about 6 p.m. and began picketing quietly after they were refused admittance to the park. They carried placards some of which read: "When Segregation Goes, Business Grows," "Glen Echo Democracy, and "End Jim Crow at Glen Echo."

Guards at first told all demonstrators to leave the park property but later permitted orderly picket procession in front of the main gate.

When several picketers,

When several picketers, headed by Laurance Henry, 25-year-old Howard University divinity student, tried to enter the park, they were stopped by guard Francis J. Collins who told them the park was "strictly for white persons."

Belongs to "Human Race"

Asked what race he was, Mr. Henry said: "I belong to the human race." He was told the park was segregated.

"Are you telling me that because my skin is black I cannot come in the park?" Mr. Henry asked.

"The park is segregated," replied Mr. Collins. "It is private property." Maryland law does not prohibit segregation at private businesses.

The demonstrators, who included white adults and children from the nearby area, then began marching in a large circle.

An hour later a group of 28 people, including 14 Negroes, suddenly left the picket line and walked into the park and to the "Ranch," the park's eating facility, where they stood in line awaiting service. The counter then was closed.

Tickets Are Produced

After a short period seven Negroes and six white persons marched out of the "Ranch" and boarded the merry-go-round. Negroes produced tickets previously purchased by white students.

Park guards removed two of the demonstrators — one white and one Negro — for getting on the ride while it was in motion and told them to leave the park.

The others sat quietly while the stand-in demonstration continued at the eating facility and a group of 50 picketed in front of the park. Several times guards dispersed groups of youths who gathered to heckle the demonstrators.

A half hour after they had seated themselves on the merry-go-round, the Negroes were ordered to leave, and when they refused, Mr. Collins arrested them.

Shortly afterwards Mr. Henry advised all demonstrators to leave the park. As soon as the Negroes had departed, the merry-go-round ground back into motion and the Ranch reopened.

March Till Midnight

The picketers continued to march until midnight as some residents of nearby homes arrived with sandwiches and cold drinks.

The demonstration followed a press conference held by the group's white and Negro leaders during which they announced they were writing all members of the Montgomery Council asking them to intercede to "highlight the need for social adjustment."

Mrs. Stella B. Werner, a county council member, said she felt sure "we will not permit any violence." She commended the demonstrators for the peaceful way they carried out their protest.

She said she wanted to avoid further comment "until I know all the legal angles."

"We have no law enforcement involved because we have no law on this. I am sure Montgomery County will do what's right."

Council Seeks Time to End Segregation at Pool

The Washington Post

By John Anderson
Staff Reporter

Facing strong pressure to end segregation in its Glen Echo Park swimming program, the Montgomery County Council yesterday asked for a chance to try mediation with pool owners through its new commission on inter-racial problems.

"I don't think there's any doubt as to the policy of this Council," said Councilman William F. Hickey, pointing out that nearly all county facilities have been desegregated.

The swimming pool issue is only a 'symptom" of the main problem, Councilman David L. Cahoon told the crowded chamber at the Council's weekly meeting.

"The ultimate goal is not just the elimination of segregation in the County's recreation programs," he declared. The new comission will also study discrimination in hiring and housing throughout the County, Cahoon told Negro leaders after the meeting.

"Our only concern is the most effective means. There is no question about where we're going," he told Laurence Henry, Howard University divinity student who has led the anti-segregation picketing at Glen Echo Amusement Park, and the Rev. Cecil Bishop, Rockville pastor who has led the picketing of a Hi-Boy restaurant near his church.

Sit-in demonstrations and picketing at the park and the restaurant have resulted in 41 arrests.

The immediate issue at the Council's meeting was the County Recreation Department's custom of renting buses and using its supervisors to take children to swim daily at the amusement park's pool, which does not admit Negroes. Negro children are taken to a District pool.

Mrs. John W. Delaplaine, a Bannockburn housewife, presented a petition urging the County to request admission for all children to the Glen Echo pool and, if refused, to stop using it.

"The present system is unconstitutional," declared Paul C. Warnke, head of the influential Western Suburban Democratic Club.

The children pay their own admission, 35 cents a head, at Glen Echo.

"The County is actually using its offices to bring to a segregated business an income of about $1000 a week," charged Raymond Munts, a member of the Civic Association and the elementary school P-TA in Bannockburn, which is next to Glen Echo. The first challenge of the swimming program came in a letter from the P-TA to the Council June 28.

Council president Grover K. Walker read a prepared statement explaining, "the Council feels that the nature and complexities of this problem require thorough study by a special group, and this was the reason for establishing the commission."

Its first meeting probably will be held this week, he added.

"The Council believes that this commission must be given an opportunity to carry out the Council's directives," Walker read. If the commission is unable to solve the Glen Echo problem, then the Council will explore other methods.

"For these reasons the Council feels today that any decision on courses of action necessarily must await the findings and recommendations of its commission on inter-racial problems."

Hyman Bookbinder, a Bannockburn resident who helped picket the park, asked, "May I urge upon the Council that it say something more, or do something more, to make its intention clear?"

Any further action, Hickey replied, "could be interpreted as shortcircuiting the commission."

Henry then stood up and, in an emotional declaration, warned, "As long as you keep shifting the responsibility from one body to another, there will be no peace."

The swimming issue needs no commission consideration, he told the Council. The question, he said, is whether "you are going to continue to allow your children to go to a situation that is a denial of the basic human rights."

Three of the Commission's seven members have been appointed. Charles E. Bowen, a Wheaton lawyer, was named by the County's Chambers of Commerce. Ann Brown will represent the County's Democratic party. The Rev. Kenneth Wentcel was appointed by the four Protestant ministerial associations in the County.

The Republican party refused the Council's invitation to contribute a member. County GOP chairman David Scull said the commission should remain "non-partisan."

Picketing continued last night at both the Hi-Boy restaurant and the amusement park.

Joseph L. Rauh Jr., was among those on the picket line at the park. Rauh, a District delegate to the Democratic National Convention, had a hand in drafting the civil rights plank in the party's platform.

"Anybody who worked on a platform like that ought to be on this picket line," Rauh said.

Montgomery Plans Racial Bias Survey Among Licensees

The Washington Post
Washington, D.C.
Dec 7-29-60

A survey of racial discrimination by "places offering food, drink, lodging or entertainment to the public" was being prepared yesterday in Montgomery County.

Ann Brown, chairman of the County's new Inter-racial Problems Commission, said she hopes to have at least partial results on hand for the Commission's meeting next Wednesday.

The Commission plans to poll nearly every place of public accommodation licensed by the County, she said.

At its first meeting Wednesday, the Commission asked the owners of the Glen Echo amusement park, Abram and Samuel Baker, to appear at next week's session at 8 p. m. Wednesday in the county office building at Rockville.

Park Manager Leonard Woronoff said yesterday the Bakers would have no comment until they receive the invitation formally.

A wave of sit-in demonstrations, anti-segregation picketing and trespass arrests began June 30 at the amusement park. Since then the demonstrators have appeared at two other businesses that barred Negroes, Rockville's Hi-boy restaurant, which changed its policy Monday, and the Hiser theatre in Bethesda.

Picketing has turned into a marathon competition at the Hiser, where one team protesting the exclusion of Negroes has been intermittently counter-picketed by another supporting the proprietor's right to choose his customers.

A leader of the anti-segregation movement, Laurence Henry, left the line at midday yesterday after some 40 hours of picketing broken only for meals at a nearby restaurant.

While the Commission's immediate task is to provide mediation at the amusement park and the theatre, its members indicaed they plan to work in much broader terms.

After completing their survey of public accommodations, Mrs. Brown said, they will probably approach the more complicated questions of racial discrimination in hiring and housing.

For technical advice, the new Commission has invited Douglas B. Sands, executive secretary of the Maryland Commission on Inter-racial Problems and Relations, to attend its next meeting.

Apologies Given Girl, 4 Africans

The Washington Post
Montgomery, Md.

WASHINGTON (AP) Four African Negro students barred Friday night from a party in a local apartment house have received an apology from attorneys for the owners and agents of the building.

The action came after the Ghana Embassy said it planned to register "strong disapproval" with the State Department. The State Department expressed its regret at the incident.

Copies of the apology were sent to Gayle Quisenberry, 23, white hostess at the party, and to the four students, one from Ghana and three from Somalia, who are here on a 60-day State Department orientation program.

The letter also rescinded an order by the rental agent evicting Miss Quisenberry from her apartment. The attorneys gave "firm assurances" no similar incidents would occur and assured Miss Quisenberry she could entertain anyone she pleased in her apartment.

Miss Quisenberry, a magazine editor for the African-American Institute, said the invitation list included both white and Negro couples. Several of the Negro couples had arrived when the apartment house manager came to the apartment and told her they would have to leave. she said.

Suit Attacks Glen Echo Race Policy

An injunction suit growing out of anti-segregation protests at Glen Echo Amusement Park will be heard before Federal Judge Roszel C. Thomsen in Baltimore at 2 p. m. Monday.

The action was filed in behalf of pickets who have been demonstrating since June 30 against the park's segregation policy.

They attacked as unconstitutional the use of police power to enforce Glen Echo's racial practices. Defendants in the proceeding are Francis J. Collins, a park guar who was commissioned as a county deputy sheriff; Montgomery County Sheriff Luke J. Bennett and Kebar and Rekab, Inc., the two corporations which own and operate the park.

Lawyers for Glen Echo have asked for dismissal of the suit on grounds that a trespass case against the demonstrators is pending in Montgomery County courts. They argued that it is "premature" to bring the case into Federal court.

Glen Echo is owned by Abraham and Samuel Baker. Abram Baker once operated a concession at Palisades Park, N. J., but abandoned it in 1955 when a State court ruled his game of chance illegal. Voters later reversed the decision in a referendum.

In another development, Rep. Charles O. Porter (D-Ore.) invited colleagues to join the pickets at Glen Echo at 7:30 p. m. Wednesday.

Landlord Who Barred Tenant's African Guests Changes Mind

WASHINGTON

"I'm glad this incident is over, but the problem remains here in Washington," said a white hostess Wednesday in the wake of lavish apologies for barring African guests from her apartment in the Chateau Thiery, 1920 S. St., NW.

Apologies were made by representatives of the apartment house to Miss Gayle Quisenberry, 23, an editorial assistant of the Africa Special Report Magazine, and to four visiting African students.

The students were ordered to leave the Chateau Thiery last Friday when they showed for a party given by Miss Quisenberry and she was given notice to move.

But the notice was cancelled and apologies came in a letter over the signature of John J. Carmody, lawyer for the H. G. Smith Company, rental agency for the apartment house.

Though the African students have gone to other places on their itinerary under State Department auspices, the company said in the letter, "You will be welcome in the building at any time."

* * *

THE STUDENTS are Zakaria Nimr Yousuf of Chad, Ahmed Bohaneh and Dahir Adan Koshin of the Somali Republic and Rasheed Abu Bakr Gorman of Ghana, whose Embassy lodged a protest with the State Department over the matter.

"We feel that the people we invite here are entitled to every courtesy," said Fritz Picard, staff member of the State Department's Bureau of African Affairs, apologizing for the incident.

The itinerary will take the African stcdents to several American cities for orientation and observation, including Tuskegee and New York.

MISS GUISENBERRY said the party invitation list was interracial with bids to several colored couples and two Howard University students.

Colored guests already had arrived, she said, when Mrs. Frances Honeycuttt, apartment manager, came and told her that they would have to leave.

The four Africans were barred by the manager, where she stopped them in the lobby, Miss Quisenberry said.

"No, I had never been told that non - whites weren't allowed in the building," she stated in answer to a question as to whether the apartment house had a verbal racial policy.

* * *

MISS QUISENBERRY said she moved to the place about two weeks ago. She has worked since last November for the magazine, housed by the African-American Institute, 1234 20th St., NW.

She was told in the letter that "no similar incidnt will occur at any time in the future."

Miss Quisenberry is a native of New York and a graduate of Goucher College in Baltimore. The African - American Institute is a private agency, which works in cooperation with the State Department.

Segregation And Solvency Among Johnson's Objectives

From The Commercial Appeal-Jackson, Miss., Bureau

JACKSON, Miss., Jan. 18.—Preservation of racial segregation, legislative reapportionment and continuance of Mississippi's financial integrity were outlined Tuesday as the major objectives of Paul B. Johnson during his four-year administration as lieutenant governor.

The 43-year-old Hattiesburg attorney and son of the late governor, was sworn in as successor to Lt. Gov. Carroll Gartin in ceremonies Monday afternoon in the House chamber.

Visibly affected as he delivered his inaugural message, the World War II Marine veteran paid special tribute to his wife, the former Miss Dorothy Power of Red Banks, and his mother, the former First Lady, "whose love and loyalty across the years have made all things to me seem possible."

Hs also said that "off of the platform and out of the spotlight there are two others who made this life of mine seem good and worthwhile." He named his father, who served as governor from 1940 until his death in December 1943, just short of his four-year term, and a devoted cousin, Hammond Hinton of Gulfport.

Close Associate

Mr. Hinton was closely associated with Mr. Johnson, as well as his late father, in their political campaigns.

Addressing the Legislature in the packed House chamber, Lt. Gov. Johnson said, "As your fellow laborer, I have the duty to speak the truth and walk in the open on all things which vitally affect the welfare of this grand old state and those who live within her borders."

Mr. Johnson made three unsuccessful campaigns for governor and one for the United States Senate. He is expected to seek the governorship again in 1963.

He held one hand on the family Bible as Supreme Court Justice William G. Roberds, his former law school professor, administered the oath of office.

"On the flyleaf of this Bible just used, in my mother's handwriting is the guidepost for my service and my life these next four years," he said.

Quotes Inscription

Mr. Johnson then read what his mother had written:

"Whatsoever things are true, whatsoever things are honest, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, think on these things."

He said while he expects the various state departments and agencies to seek to obtain sufficient for all their needs and requirements, "yet it should be remembered that there sometimes comes a time when one may exercise even the higher right of giving up a right in the interest of the public welfare."

"It is of utmost importance that we officials, regardless of our desire to do as much as possible to enhance the economic growth of the state and raise the living standards of our people, must ever keep mind the financial integrity of our state," he said.

The new state official said also that "we must bear in mind during this session that healt hand education are the twin beacons that lure and lead civilization to the golden dawning of a grander day."

Segregation Is Criticised In Arlington

By Susanna McBee
Staff Reporter

Negroes are encountering discrimination in Arlington when they go out to eat, try to see a movie, seek recreation, or wish to have their child born in Arlington Hospital, according to a report released yesterday.

The report, written by the steering committee of the Arlington Council on Human Relations, covers practices the committee said it found last summer. The Rev. Sidney Lovett, pastor of Rock Spring Congregational Church, heads the committee.

"In most matters the Arlington Negro lives out his days with the same elements of risk and with the same elements of civic protection . . . as is the common lot of the rest of us in modern situations", the report said.

"But there are areas of his life where being a Negro makes a difference," it added.

Most of the council's findings of discrimination are based on Virginia's segregated seating law, which has been upheld by one County Circuit judge but ruled unconstitutional by another. The question is still being litigated.

The Council said Arlington Negroes must go elsewhere "to find a restaurant of high quality where they may be seated." There is carry-out service but not curb service for Negroes at county drive-ins, the Council said.

Other findings in the report:

- Arlington movies are closed to Negroes. So are public bowling alleys, skating rinks and pony riding lots.
- Only two small (neighborhood) playgrounds are available for Negroes. Both of them are inadequate and the largest one is in the southern tip of Arlington, inaccessible to the large number of Negro youth in north Arlington.
- Negroes may receive emergency treatment in Arlington Hospital and may be hospitalized there. But when a Negro woman is going to have a baby, she must go to the District or to Alexandria Hospital. If her baby won't wait she may go to the Arlington Hospital as an emergency case but cannot be placed in the maternity ward.

Hospital Administrator John D. Anderson denied there is discrimination in the care of Negro patients. He said hospital trustees are planning a Negro maternity ward in a future hospital building program. The present 30-bed maternity ward is always crowded, and white women are referred to other hospitals every day, Anderson added.

- There is little rental property or homes for sale available to Negrees.

NAACP Pickets New Store in Wheaton Plaza

Woodward & Lothrop's new Wheaton Plaza store was picketed at its opening yesterday by the National Association for the Advancement of Colored People.

A dozen pickets passed out flyers urging a boycott of the store until its Chevy Chase branch drops its refusal to serve Negroes in its tearoom.

Andrew Parker, president of Woodward & Lothrop, pointed out that Wheaton store has no restaurant. But acknowledged "we do not serve" Negroes at Chevy Chase.

The pickets were headed by Florence Orbach, chairman of the social action committee of the NAAPC's Montgomery County branch.

U. S. Apology to Ghana For Insult to Envoy

WASHINGTON (AP) — The State Department has expressed regrets to the Embassy of Ghana for insults inflicted upon a diplomat of that country by boarding house officials in the District of Columbia.

The apology came after the Ghana Embassy had registered a protest against the Hartnett Hall lodging house for refusing to accommodate William E. Annan, Ghana's Assistant Commissioner of Labor.

Annan is visiting the United States under an International Cooperation Administration program.

ANNAN HAD made advanced reservations at Hartnett Hall with the requested down payment.

His reservation was confirmed, although he told them at the time that he is from Ghana.

Upon his arrival in the city last Thursday he went directly to the board house, where he was informed that they had a policy of not accepting Negro guests.

Many Whites Support Their Effort

Tireless Negro Demonstrators Aim To End Racial Discrimination in Area

By John W. Anderson
Staff Reporter

A parade of pickets, marching up and down the same line nearly every night for five weeks, has worn a rough dirt path in the strip of grass along River rd. by the Glen Echo Amusement Park.

This is the only visible mark left by the wave of antisegregation demonstrations that hit Glen Echo on the last day of June. The park itself is as firmly closed to Negroes as ever.

The County Recreation Department continues to bring several hundred white children daily by school bus to its swimming pool. Negro youngsters are still taken to a District pool.

But the pickets have set in motion a chain of consequences likely to reach far beyond the park's beleaguered gates.

In the court fight to defeat 15 trespass prosecutions of pickets by park guards, and in a Federal injunction suit, the demonstrators' lawyers are attacking as unconstitutional the use of police power to enforce segregation. Sworn as deputy sheriffs, the guards were using State authority in making the arrests.

Even a qualified victory in the injunction suit would have sharp repercussions throughout the Nation wherever Negroes attempt sit-in campaigns.

Political pressure moved the County Council to establish a Commission in Interracial Problems two days after the number of arrests hit 41.

Although mediation of the present demonstrations is the first assignment for the Commission it appears to be heading toward the much deeper question of racial discrimination in suburban housing and hiring.

The legal and political maneuvering will only be beginning when the asmusement park closes in early September.

The area demonstrations began early last spring when a 26-year-old Howard University divinity student, Laurence Henry, concluded that picketing the Capitol was a waste of time. He set his sights on Alexandria.

Hearing of these plans, Alexandria's Mayor Leroy S. Bendheim quickly set up a commission of merchants and Negro leaders who asked that demonstrations be held off while secret negotiations started.

Henry then shifted his attention to Arlington. In June he began a series of sit-ins with two dozen young supporters, both white and Negro, mostly from Washington.

After 10 days, major chain stores including some the demonstrators had never visited, agreed to serve Negroes.

A week later the Alexandria commission announced the City's principal stores were opening their lunch counters to Negroes. Chains in Fairfax adopted the same policy.

The demonstrators were quiet only a week. Then, at a press conference they announced their intention of breaking the amusement park's traditional color line.

Economic Segregation

Montgomery County has traveled a long way down the road to desegregation. It has generally been a smooth road. In five years its school system has been largely desegregated, to a point at which its only all-Negro schools are three small elementaries slated for closing in a year.

Negroes are less than 5 per cent of the County's population. As it now exists in Montgomery, racial segregation is generally economic, after the northern pattern, rather than political and legal, in the southern manner.

Because the desegregation of public accommodations is so far advanced, the hold-outs have acquired a symbolic value.

The owners of the Glen Echo park, Abram and Samuel Baker of Miami, refused repeatedly to answer the letters sent them in recent years by civil rights groups and, once, by an aide to the Governor of Maryland.

Since the beginning of the picketing, they have refused to meet with demonstrators, to speak to newspapermen, or to issue any public statement. They have let it be known they are convinced that desegregation would hurt them economically and might lead to disorders in the park, particularly in its big swimming pool.

Court Halted Game

Abram Baker ran the "fascination game" at Palisades Park, N. J., in the early 1950s, according to the Park's owner, Irving Rosenthal. "It's where you throw balls into squares," Rosenthal said. "You have to make a row of lights."

Palisades Park was completely desegregated, including its swimming pool, while Baker had his concession there. In 1955 a New Jersey court ruled the game illegal and Baker left, Rosenthal said. It was later legalized by a State referendum.

Baker bought the Glen Echo Park in June, 1955. He also had interests in Olympic Park, N. J., and Atlantic City, plus real estate holdings in Miami. The brothers' Washington apartment is at 3315 Wisconsin ave. nw.

When picketing began at the Park, white residents filtered out of the neighboring communities—particularly Bannockburn—to help carry signs. On the picket line whites generally outnumbered Negroes three to one.

Many union officials live nearby and joined the line. Unions paid for the pickets' signs and mimeographed flyers.

Even before the pickets arrived, Bannockburn community leaders had begun to protest the segregated swimming program to the County Council. These community representatives later presented the Council with a petition, signed by many County political and religious figures, asking the program either be desegregated or stopped.

Outraged Residents

A new Rockville restaurant, the Hi-Boy, had outraged Negro leaders there by distributing advertising flyers at doors throughout the nearby Negro community and then refusing to serve the recipients. Headed by the Rev. Cecil Bishop, pastor of a neighboring Negro church, and with help from some of the Glen Echo pickets, a group of Rockville Negroes staged a sit-in at the restaurant. The result was 25 trespass arrests.

Mayor Alexander J. Greene of Rockville promptly condemned the restaurant's policy. Two weeks later, on advice of the City Council the Hi-Boy announced it would serve all races and withdrew its trespass charges.

That night Henry set up the picket line at the Hiser Theater in Bethesda, the only movie in Montgomery County that bars Negroes. Four demonstrators were arrested for trespassing and the line was maintained around the clock for 100 hours.

But the main focus has been on Glen Echo. Of the 15 trespass arrests, most resulted from deliberate testing of the park's rules.

First about a dozen demonstrators walked into the park and climbed on the merry-go-round. Five Negroes were arrested. The next day three demonstration leaders were arrested, to their surprise, while crossing a roadway that, it developed, the park leases from the Federal Government.

The following day five demonstrators rushed past a line of parked guards into a cafeteria and were arrested.

More Than 100 Pickets

A Negro medical student, passing out flyers, allegedly brushed or pushed a patron of the park, who filed an assault charge. Later Henry and his chief lieutenant, Paul Dietrich, 28, who is white, were arrested by Glen Echo town police for refusing to shorten their picket line and make space for George Lincoln Rockwell, head of the American Nazi Party and a group of his "troopers" who were counter-picketing.

The number of pickets at the park has varied from a dozen up to more than 100. They take a good deal of name-calling from passing cars, particularly those leaving the park's parking lot.

But their instructions warn: "Non-violence entails more than merely not resorting to force. It means that we do not answer insults and epithets."

Apparently with an eye to the coming litigation, demonstrators have involved franchised public utilities in the two most recent arrests.

Dion T. Diamond, 19, a Howard physics student, went onto park property to use a public phone. After pulling him out of the booth, park guards charged him with assault and trespassing. Henry was arrested again the next night while standing at a bus stop located on park property.

Both Diamond and Henry refused bail, preferring to stay in the county jail until they appeared in court Friday. They explained they made this choice to emphasize what they termed the injustice of their arrests. They are now on bail awaiting trial, with most of the other Glen Echo defendants. on Sept. 12.

Pickets Hit Glen Echo Race Policy

Washington Post
D.C., Fri. 7/1/60
P. 1

Arlington Sit-In Demonstrators Lead Marchers

A group of more than 60 sign-carrying demonstrators picketed Glen Echo Amusement Park last night to protest segregation policies.

The protest was led by participants in the successful Arlington sit-in movement, which resulted in dropping of racial barriers at food counters in major northern Virginia drug and restaurant chains.

Pickets showed up shortly after two Negro girls were ordered off the Glen Echo premises by a uniformed park guard. The girls, Maudie Parker, 18, of Sacred Heart Academy, and Louise York, a 12th grader at Cardozo High School, complied with the guard's order.

Immediately after this incident, Laurence Henry, 25-year-old Howard University divinity student, approached the park entrance with a group of protesters. Henry, leader of the Arlington sit-in movement, was challenged by Glen Echo guard Francis J. Collins.

"What race do you belong to?" Collins asked.

"I belong to the human race," replied Henry.

Collins then said the park is segregated uned the policy of the owners. "You are telling me because my skin is black I cannot come in," Henry retorted.

The main band of pickets, which included many white residents of the adjourning Bannockburn area, arrived at 6 p.m. sharp and began parading in a large circle at the park's main entrance. It was a quiet, orderly rocession.

Abram and Sam Baker, who own and operate the park, left their homes in Miami, yesterday and were reportedly en route to Washington. The Baker brothers are directors of the Kebar Inc. and Rekab Inc., two corporations which respectively own and operate the park.

Montgomery County Superintendent of Police James S. McAuliffe, accompanied by three police cruisers and plainclothes detectives, arrived as soon as the demonstration started.

Leonard Woronof, who identified himself as a public relations aide for Glen Echo, told demonstrators "this has always been a segregated park. We intend to keep it that way."

Glen Echo Pickets Win Support

Washington Post
D.C. P. 1
Tues. 7/5/60

NAACP Officials Request Negroes To Back Action

By J. W. Anderson
and Kenneth Weiss
Staff Reporter

The small band of Washington anti-segregation demonstrators now picketing Glen Echo Amusement Park won the public support yesterday of the National Assocaition for the Advancement of Colored People.

Two local officials of the national organization, which has been keeping in the background in the local demonstrtions, used an NAACP-sponsored horse show near Ashton, Md., to ask the Negro community to support the spontaneous student group.

Mary Y. Williams, head of the Montgomery County Branch of the NAACP, told the crowd of more than 200 that "we'd like as many of you as possible to go down to Glen Echo" and march with the pickets.

Praise for Demonstrators

Edward B. Henderson, past president of the Virginia State NAACP and now a member of its board, coupled the same recommendation with praise for the demonstrators for upsetting the apathy of older Negroes.

He said older Negroes are restrained by a tradition of inferiority but the young people are making them ashamed. I believe that the greatest good that can come from sit-in activity is that these young people are going to register and vote and make it hot for their parents, friends and Uncle Toms who have not been voting."

Laurence Henry, leader of the pickets who at that point were parading in the heat before Glen Echo's main gate and parking lot, criticized the local Negro community for not giving support to the movement.

Pointing out that there have been more white demonstrators than Negro, he told the horse show spectators "we want you to come down to the picket line for your own dignity. No longer can we stand back like beggars and wait for someone to give us something for nothing."

Picket Explains Stand

The white picketers, he said "are asking that the park be opened to Negroes; they can get in already."

Ann Showalter, 14, of 6408 W. Halpert rd., Glen Echo, who has been marching in the picket line since it started Thursday evening, explained her attitude as a white picket:

"I really believe that all people are created equal. I don't really know whether it will do any good—whether they'll open up or not. But I think it's worth trying."

Ann, wearing a straw hat to shield her already reddened face from more sun, was one of several young girls marching in the line before the park's main gate.

Occasionally spectators inside the park shouted obscenities at them but park security guards kept the spectators from gathering close to the pickets.

Washington Post

Attendance Not Hurt

Park manager Leonard Woronoff told reporters that attendance at the amusement park on MacArthur blvd. was running ahead of normal despite the pickets. The park owners, Abram and Sam Baker, were still unavailable for comment but a statement from the management has been promised after the long weekend.

Tues. 7/5/60

So far 16 arrests have been made by park security guards who are County Deputy Sheriffs, most of them for trespassing.

P. 11

Two were arrested for disorderly conduct Sunday when they protested a town police order to condense their picket line at the park parking lot to make room for George Lincoln Rockwell and his American Nazi Party pickets.

Town Police Chief Ronald Van Nostrand promised Henry yesterday that his pickets would not be moved from any space they were effectively using to picket.

P. 11-A

Sign Called Profane

He also promised to examine Rockwell's signs after Henry complained that several were overly inflammatory against Negroes. Van Nostrand several days ago destroyed one of Henry's signs proclaiming that "The Road to Hell Is Paved with Little Rocks" on grounds that it was profane.

The amusement park segregation issue may come up at the Montgomery County Council meeting tonight. County Recreation Superintendent Forest Gustafson may report on the use of the park's swimming pool as part of the summer recreation program for County white children.

At present the County furnishes school buses to carry white children to the pool four days a week. At the pool the children pay 35 cents each for admission. An estimated 400 to 500 children take advantage of this program daily. A smaller number of Negro children from the western County suburbs is taken by school bus to free non-segregated pools in the District.

The Council is under pressure to stop using the park pool and has scheduled a hearing for a group supporting this position at its July 12 meeting.

Legislation is Urged

The Council also is beieng strongly urged to pass some kind of legislation prohibiting segregation in privately-owned facilitiees which serve the public as the amusement park does. County Attorney Alfred H. Carter has told the Council that it has no authority for such a statute, but other lawyers in the desegregation camp feel it does.

County Sheriff Luke Bennett is being asked to clear up the situation under which deputy sheriffs operating under state authority—the park's private police force—are enforcing segregation.

Desegregation backers contend the sheriffs are sworn only to protect property and maintain order and are going beyond their authority in using arrest powers to maintain a park policy.

Earlier in the day a small group of NAACP veterans of the Southern sit-in demonstrations picketed on the Capitol's west terrace until Capitol Police told them picketing was forbidden on Capitol grounds. They were asking for legislation giving Negro servicemen and veterans immunity from Southern segregation laws.

6 from D.C. file suit to end Glen Echo park segregation

BALTIMORE

Six Washingtonians filed suit in U.S. District Court Friday seeking an injunction to prohibit Glen Echo Amusement Park from practicing racial segregation. The Amusement park is in Montgomery County, just outside Washington.

The suit was filed by William L. Griffin, Clyde R. McDowell, Gwendolyn Greene, Ronye Stewart, Dorothy Mann and Kay Freeman, all college students with the exception of Miss Mann. Miss Mann is a secretary for the AFL-CIO.

Defendants in the litigation are Sheriff Luke J. Bennett, Francis J. Collins, park guard and special deputy, and the two corporations that own and operate the park. Abram and Samuel Baker are owners of the two corporations.

* * *

THE SUIT specifically attacks the legality of the power of the guard to make arrests on trespass charges. It also asks that the park be enjoined from prohibiting colored people from use of the park and its facilities.

Judge Dorsey Watkins has ordered the defendants to appear in court July 21 to show cause why the preliminary injunction should not be issued.

Plantiffs charge that the arrests "are unlawful in that they constitute state enforced racial discrimination in a place of public accommodation."

THE ACTION marked the first time since the beginning of sit-in demonstrations that students have filed a counter-offensive against those who have had them arrested.

Collins arrested Griffin, Stewart and Miss Greene on June 30 when they refused to get off of a merry-go-round. The three other plantiffs charge they were refused admitance to the park.

In addition to the llegal action demonstrators have called for a meeting with the County Council for the purpose of presenting a petition signed by numerous county residents who ask the County Recreation Department to stop using the park's segregated pool.

50 Demonstrators Picket At Glen Echo in Hot Sun

By John W. Anderson
Staff Reporter

Antisegregation pickets took up their vigil again yesterday at Glen Echo Amusement Park.

About 50 demonstrators showed up as the protest against the park's 51-year-old segregation policy reached its 10th day.

A hearing has been scheduled, meanwhile, for July 21 in Baltimore Federal Court on a request by Negro demonstrators for an immediate injunction against enforcement of the racial policy.

Pickets are asking the Federal Court to prohibit State authorities, in this case the Park's special deputy sheriffs, from enforcing segregation at Glen Echo.

In another development, the owner of Palisades Amusement Park in New Jersey disclosed Glen Echo president Abraham Baker ran a concession at the non-segragted New Jersey park in theearly 1950's.

Palisades president Irving Rosenthal said in a telephone interview that Baker owned the "Fascination game" at the New Jersey amusement center until it was ruled illegal in an anti-bingo decision by that state's courts. Bingo betting was subsequently legalized in New Jersey by referendum.

Ironically, a 1948 decision which led to desegregation of the Palisides swimming pool is now being cited by attorneys for the Glen Echo demonstrators. A New Jersey Federal court ordered the Palisades pool desegregated and awarded damages to a Negro plaintiff.

The legal battle against Glen Echo's exclusion of Negroes is now taking shape on three fronts:

Glen Echo suit to provide key legal test for sit- ins. Page E3.

Glen Echo pickets trial set Sept. 12

WASHINGTON

Thirteen anti-segregation demonstrators arrested and charged with trespassing requested jury trials in Bethesda People's Court Tuesday.

Attorneys for the protesters, Joseph H. Sharlitt, revealed that they had made the decision because they would "rather have the cases tried by a jury."

They also pointed out that in the Circuit Court, they would be able to appeal the decision if necessary, while if the case had been tried Tuesday in the People's Court by a magistrate, no appeal would have been possible under Maryland law.

The trial has been re-set for Sept. 12 in the Montgomery County Circuit Court.

* * *

THE 13 DEMONSTRATORS, who had been arrested while protesting the segregated policy of Glen Echo Amusement Park, are involved in 16 cases.

In addition to 11 trespass charges, two were again arrested for disorderly conduct, and a third arrested for the second time on an assault charge.

Picketing has been going on at the park since June 30.



"NAG, NAG, NAG," is this group's solgan. Dubbed the "Non-Violence Action Group, (NAG) they are the nucleus of the Glen Echo demonstration, which initiated a county-wide anti-segregation movement. The group is also responsible for opening up a number of lunch counters in northern Virginia through their sit-down protests there in early June. Here they are shown leaving Bethesda Peoples's Court, where they were granted a jury trial on trespass charges incurred at Glen Echo Amusement Park. From left to right, they are Ronyl Stewart, 18, 1738 Upshur St., NW; Dion Diamond, 19, one of the spokesmen.

Negro Loses Bias Case

Special to The Inquirer

WILMINGTON, Del., Jan. 11.—The Delaware Supreme Court ruled Monday that a privately-operated restaurant in a Wilmington Parking Authority garage is not required by law to serve Negroes.

The opinion reversed a decision of the Court of Chancery, which ruled in favor of William H. Burton, Negro City Councilman, who was refused service at the Eagle Restaurant.

'NOT MORAL KEEPERS'

"We neither condemn nor approve such private discriminatory practices," said Associate Justice Daniel F. Colcott, who wrote the Supreme Court opinion. "The courts are not the keepers of the morals of the public."

The high court held the case did not come within the restraints of the 14th Amendment to the U. S. Constitution, which guarantees citizens equal protection under the laws.

Conceding that State court follows the rules laid down by the U. S. Supreme Court in the matter of racial relations, Colcott said, "We are, of course, bound to follow the Federal decisions but we think we are equally bound, when they erode our local laws, not to extend them to a point beyond which they have not as yet gone."

The court ruled that the discriminatory action of the restaurant was not an act of the State of Delaware, although the court admitted that rent received from the restaurant made it possible to operate the parking facility.

DELAWARE SUPREME COURT SAYS RESTAURANT IN CITY BUILDING NOT REQUIRED TO SERVE NEGROES

WILMINGTON, Del. (AP) —A privately operated restaurant within a municipal authority's building is not required to serve Negroes, the Delaware Supreme Court has ruled.

Its decision Monday reversed the Delaware Court of Chancery. The lower court held that the Eagle restaurant within the Wilmington Parking Authority's building should have served city Councilman William H. Burton, a Negro.

The Supreme Court said, in a decision written by Associate Justice Daniel F. Wolcott, that the restaurant was not intended as a service to the public using the three-deck garage.

It added the parking authority could not be accused of discrimination since Burton parked his car in the facility before being refused entrance to the restaurant.

The high court said the rent paid by the restaurant helped make it possible to operate the parking facility but added:

"This circumstance, we think, is not sufficient to make the discriminatory action of the Eagle the act of the State of Delaware. It follows, therefore, that the Eagle, in the conduct of business, is acting in a purely private capactiy and the operation of its restaurant does not fall within the scope of the prohibitions of the 14th Amendment" of the U. S. Constitution.

Wolcott wrote the high court neither condemns nor approves "such private discriminatory practices, for the courts are not the keepers of the morals of the public."

He said the court applies the law "whether or not the law follows the current fashion of social philosophy. Particularly is this true of a state court which is called upon in this field to apply rules made for us by the Supreme Court of the United States, which, in the case of this state, resulted in the discard of a large portion of our local laws dealing with the emotional subject of racial relations.

"We are, of course, bound to follow the federal decisions but we think we are equally bound when they erode our local law, not to extend them to a point beyond which they have not as yet gone."

Under federal court rulings Delaware's public schools in areas previously not racially integrated are now integrating on the basis of one grade per year. First grades were integrated this year.

Integration Edict Voided In Delaware

WILMINGTON, Del. (AP)—The Eagle, a restaurant in the Wilmington Parking Authority's three deck offstreet garage, is not required by law to serve Negroes, the Delaware Supreme Court ruled Monday.

The opinion reversed the decision of the Court of Chancery which held for William H. Burton Negro city councilman who was refused service at the restaurant.

Associate Justice Daniel F. Wolcott who wrote the opinion for the Supreme Court, said:

"We neither condemn nor approve such private discriminatory practices, for the courts are not the keepers of the morals of the public."

PURE HAPPENSTANCE

The Court of Chancery had held that the 14th Amendment to the U.S. Constitution was applicable to the operation of all aspects of the Parking Authority structure.

The Supreme Court held that the establishment of a restaurant in the space occupied by the Eagle is a pure happenstance and was not intended as a service to the public using the parking facility. It said the Parking Authority could not be accused of discrimination since the Negro councilman parked his car in the facility before he was refused entrance to the restaurant.

Wolcott wrote in his opinion the state's high court applies the law "whether or not that law follows the current fashion of social philosophy. Particularly is this true of a state court which is called upon in this field to apply rules made for us by the Supreme Court of the United States which, in the case of this state, resulted in the discard of a large portion of our local laws dealing with the emotional subject of racial relations. We are, of course, bound to follow the federal decisions but we think we are equally bound, when they erode our local law, not to extend them to a point beyond which they have not as yet gone."

Rule Del. Cafes Can Ban Negroes

WILMINGTON, Del. — (UPI) — The Delaware Supreme Court ruled Monday that privately operated restaurants are not required by law to serve Negroes.

The high court ruling reversed an earlier decision by the Court of Chancery in a case involving William H. Burton, Negro City Councilman who was refused service at the Eagle Restaurant, a privately operated establishment in a Wilmington Parking authority garage.

Professor is embarrassed

WILMINGTON, Del. — (ANP)— A dark-skinned professor of political science from Calcutta University left here last week with bitter memories of America's "democratic way of life" as practiced in Delaware.

He is Prof. Parimal Kar, 35, who arrives here June 18, for social work with the summer work camp sponsored by the American Friends Service Committee for the Peoples Settlement Association.

Prof. Kar learned Delaware's brand of "democratic practices" so quickly he left before his summer work began at the settlement in the heart of Wilmington's teeming Negro eastside.

* * *

WAITING FOR his work period to begin July 10 Prof. Kar was refused restaurant service at several second or third class establishments.

He is said to have attempted to get a room at one or two medium priced hotels with the same results. He was looked upon as being "colored."

African dancers humiliated denied service in Delaware

WILMINGTON, Del. — The Ballets Africans, who have been acclaimed by integrated audiences over the world, were refused service last week at some smaller restaurants here.

That such a thing could occur in America, members of the cast expressed shock.

Harold Kusell, general manager of the troupe's tour, said, the dancers would not have been brought to Wilmington had he known such a situation would arise.

Mr. Kusell said he phoned to Cincinatti, the next stop, for assurance a similar incident will not occur there.

38a 1960

DELAWARE

Delaware High Court Upholds Restaurant's Ban on Negroes

The New York Times
New York
Jan 13 1960

WILMINGTON, Del., Jan. 12 (UPI) — The State Supreme Court ruled yesterday that privately operated restaurants were not required by law to serve Negroes.

The ruling reversed an earlier decision by the Court of Chancery in a case involving William H. Burton, Negro City Councilman. He was refused service at the Eagle Restaurant, a private establishment in a Parking Authority garage here.

Associate Justice Daniel F. Wolcott, who wrote the majority opinion, said that "the courts are not the keepers of the morals of the public."

"We neither condemn nor approve such private discriminatory practices," he said.

According to the high court, the case does not come within restraints of the Fourteenth Amendment, which guarantees equal protection.

Although the state court follows the rules laid down by the United States Supreme Court in the matter of racial relations, Justice Wolcott said, we think we are equally bound, when they erode our local laws, not to extend them to a point beyond which they have not as yet gone."

The court held that the discriminatory action by the restaurant was not an act bythe State Of Delaware.

In the Chancery Court ruling, the amendment was declared applicable to the operation of all aspects of the Parking Authority's structure. It forbade discriminatory practices in the restaurant, the authority's lessee.

Mr. Burton had contended that the authority was performing a public or state function in operating the parking facility, and was required, as an instrument of the state, to insure that the operation was not carried out in a segregated manner.

The high court said Mr. Burton "has not been discriminatd against by the authority in the operation of the public parking portion of the facility, since the record discloses that at the time this incident occurred the plaintiff had parked his car in the public parking portion and, thereafter, proceeded to the Eagle restaurant, where he was denied service."

"It is quite apparent, nor is there any suggestion to the contrary made by the plaintiff, that the establishment of a restaurant in a space occupied by the Eagle is a pure happenstance, and was not intended as a service to the public using the parking facility," he added.

Delaware law under attack in race case

The Birmingham News
Birmingham, Ala.
Mon Jan 16 60

WASHINGTON, Oct. 10—(AP)—The Supreme Court today agreed to review a decision that a privately operated restaurant in a city-owned building is not required to serve Negroes.

The decision was given by the Delaware Supreme Court in a case affecting a Wilmington city councilman, William H. Burton, Negro. Burton appealed to the high tribunal to review and overturn the decision.

Burton was refused service in the Eagle Restaurant, which is within a large public garage in downtown Wilmington operated by the Wilmington Parking Authority.

DELAWARE LAW says a restaurant operator may not be required to furnish entertainment or refreshment "to persons whose reception or entertainment by him would be offensive to the major part of his customers and would injure his business."

Burton contended the law is repugnant to the U. S. Constiution's 14th Amendment, and that his rights under the amendment were denied when the law was construed to authorize racial discrimination.

Ruling against Burton, the Delaware Supreme Court said the only concern the city authority had with Eagle Restaurant was the receipt of rent, which made it possible to operate the parking facility. The state court added:

"This circumstance, we think, is not sufficient to make the discriminatory act of Eagle the act of the state of Delaware. It follows that . . . operation of the restaurant does not fall within the scope of the prohibitions of the 14th Amendment."

38a 1960

FLORIDA

Appeal Awaits Survey

Court Rules Negroes Can Use Manor Pool

The Miami Herald
Miami, Florida

By RICK TUTTLE
Herald Staff Writer

Federal Judge Emett Choate Monday ruled that the City of Miami cannot bar Negroes from Manor Park Swimming Pool. Tues 9-13-60

It was the first federal court ruling affecting city swimming facilities. Page 1

The suit was filed last October by the National Association for the Advancement of Colored People, through Attorney G. E. Graves.

Only Manor Park, at 1300 NW 50th St., was mentioned in the suit or the order. Miami Fla.

Mayor Robert King High said a survey would be made before a decision on whether to appeal the judgment.

"I'm fairly certain we would appeal if the order affected all of the pools," High said. "We would want time to work it out. This is an awfully touchy thing."

High said the survey would determine to what extent the neighborhood may be changing from white to Negro.

"After the City Commission has been furnished the survey and we are officially advised of the decision by the city attorney, then we will decided whether an appeal would be proper," he said.

The NAACP suit had charged that Miami set up a "deprivation of rights" in barring Negroes from the tax-supported pool on Oct. 16.

Graves said the suit was aimed at only one of Miami's six all-white pools because "that's where they went and that's where they were refused."

High said it had been well-established in legal circles that no tax-supported facility can be segregated as to race, creed or color.

In Jacksonville, Fla.
The Pittsburgh Courier

Golf Segregation Battle Still On

By Trezzvant W. Anderson
(Courier Roving Reporter)

JACKSONVILLE, Fla. — "Battleground Jacksonville" has erupted anew! Last week the City Council voted to sell the Hyde Park Golf Course for $615,000 to white "pro" Fred A. Ghioto, who in turn announced he will open the course soon "to white golfers only."

But before his words were hardly cold, Negro foes who had successfully won a Federal court order to end segregation on local golf courses had flung the issue back into the Federal court.

On Monday of this week Frank Hampton and his associates asked Federal District Judge Bryan Simpson to determine if a "reverter" clause in the city's sale contract to Mr. Ghioto gives them the right to play as Negroes. The "reverter" clause stipulates that the property must remain a golf course forever, or revert to the city.

■

ACCORDING TO Atty. Ernest D. Jackson, representing Mr. Hampton and his group, this gives the city an interest in the golf course and thus it is still subject to the Federal ruling opening its use to Negroes.

Meanwhile, the Hampton group already has an appeal before the Florida Supreme Court questioning the authority of the city to sell the golf courses without authorization of the Legislature and a vote of the people. The sale of the two city-owned golf courses is the city's method of trying to avoid the integrated use of the golf links as ordered last year by the Federal Court in an order from Judge Simpson.

The Hampton group has also filed a suit to require non-segregated use of all city-owned recreation facilities. These include: A new coliseum, city auditorium, Jacksonville baseball park, the Gator Bowl and other facilities.

As the tug-of-war goes on, it was learned that the City Commissioners now favor setting up a bi-racial commission to work out the knotty problem, but Mr. Hampton and his group now feel, in view of the sale of one of the golf courses, that the city hasn't cooperated, and therefore should get no cooperation.

Negroes Try 3rd DeLand Service Bid

The Fla. Times-Union
Jacksonville, Fla.

The Times-Union Bureau

DE LAND, Feb. 11 — For the third consecutive day, a group of teen-age Negroes attempted unsuccessfully to obtain service at the F. W. Woolworth lunch counter here.

Today's effort was better organized, with approximately 40 seated or standing around the counter and others coming and going for about 30 minutes. Twenty turned out yesterday and only a handful Tuesday afternoon.

The group organized about 3:30 p.m. at Bandshell Park and marched to the store about 4. They sat at the counter reading school books and chatting, for about half an hour.

Clerks anticipating the action had placed "Closed" signs on the counter before the Negroes arrived. They were all of junior and senior high school ages.

The store manager announced that the counter was "closed permanently" after the group had been in the store some 25 minutes. They left shortly afterwards, went back to the park in a body and dispersed without further incident.

2 Golf Pros Named Suit Defendants

The Florida Times-Union
Jacksonville, Fla.

Two potential purchasers of the city's municipal golf courses yesterday were named defendants in a suit brought by Negro golfers seeking to force the integration of the links.

U.S. District Judge Bryan Simpson granted a motion by four Negro golfers to include the names of golf professionals Fred A. Ghioto and Roland L. Hurley in the litigation, which also calls for an injunction prohibiting the city from selling the courses.

In his order, Simpson declared that the motion to make Ghioto and Hurley defendants, along with the city, was granted because the rights and interests of the men cannot be properly litigated without permitting them an opportunity to defend their rights.

The new federal court action is in the form of a petition to amend a final judgment handed down by Simpson last April 1, which declared segregation of the courses was a violation of the civil rights of Negroes.

The petition asks that the judgment be amended to prohibit the city from selling the courses, terming the action a subterfuge to continue segregation practices on them, and also to prohibit Ghioto and Hurley from banning Negro play on the courses, if and when the links are sold to them.

Sale of the Hyde Park Municipal Golf Course to Ghioto for $615,000 already has been authorized by City Council ordinance, and yesterday City Commission accepted, and sent to council for action, a bid of $600,000 submitted by Hurley for the Brentwood course.

The judge's order also gave the city and the two prospective course purchasers 20 days in which to answer the Negro golfers' petition.

Tampa Park Integration Suit Entered

The Fla. Times-Union
Jacksonville, Fla.

TAMPA, Feb. 12 (UPI) — A group of Negroes filed suit in U.S. District Court today seeking desegregation of all city-owned recreational facilities.

The suit was filed by the same six Negroes who petitioned city officials last week to be admitted to public recreational facilities on the same basis as whites.

The suit listed as defendants Mayor Julian Lane and all members of the City Council. Also listed as defendants were the head of the recreation department, all recreation board members, the park superintendent and all park board members.

The suit was handled by Francisco Rodriguez, former state counsel for the NAACP and a Tampa attorney.

It asks the court to invoke the due process and equal protection clauses of the 14th Amendment to force Tampa officials to permit Negroes to use parks and other facilities now denied them. The suit, a class action, specifically lists all such facilities now in operation.

Reply Filed To Golf Suit Of Negroes

The Fla. Times-Union
Jacksonville, Fla.

Fred A. Ghioto, purchaser of the Hyde Park golf course, and who has been named a defendant in a revived suit filed here by Negro golfers seeking to set aside the sale of the two City links, yesterday filed his answer to the amended complaint.

Ghioto, who paid $615,000 for the course and opened it to play Monday, denied the Negroes' allegation that the sale was a subterfuge in order to continue denying Negroes the right to play on the course.

He said he purchased the course in good faith, as the highest bidder for the property, with the intention of operating it as a private business with no design or plan to abridge the rights of the golfers to bring the suit.

He added that at one time he thought and said he would operate the course as a private venture for the general public, with play limited to white persons only. But since acquiring the course and examining its budgetary requirements, he said, he has found he must operate it on a private basis for the use and enjoyment of only members of the Hyde Park Golf Club, their dependents, or guests.

The City of Jacksonville has not yet answered the amended suit nor has Roland L. Hurley, who purchased the Brentwood course for $600,000 and also is named a defendant.

The new litigation began as an amendment to the original golf course integration suit which was decided by U.S. District Judge Bryan Simpson last April 1 and which resulted in the city's decision to sell the courses.

Sold to thwart court, golf course still lily

The Afro-American
Baltimore, Md.

JACKSONVILLE, Fla. (ANP) — Sold to private owners after a Federal court ordered it to integrate, the formerly city-owned Brentwood Golf Course reopened here recently but the only colored persons permitted on the course were the caddies.

The course formerly operated under the supervision of Commissioner Dallas Thomas, but was closed last year after the integration order. The course was then sold to private citizens who are now operating it for whites only.

Colored people had previously challenged the constitutionality of discrimination at the city-owned course. It is anticipated that further court action will be started to test the legality of the sale.

'oycott Called Off

The Miami Herald

Miami Negro leaders Thursday called off their scheduled boycott of downtown department stores, pending the outcome of talks with the City Commission.

Officers of the NAACP, Committee on Racial Equality, and the Interdenominational Ministerial Alliance had set Monday as the deadline for desegregation of store lunch counters.

No new deadline was set. COFE chairman John Brown said the group would await next week's developments before deciding what action, if any, to take.

The Negro leaders will meet with the commission at 10 a.m. Tuesday. Another meeting is planned next week between the commission and managers of the department stores.

Judge Rejects Motion To Toss Suit From Court

Atlanta Daily World
Atlanta, Ga.

JACKSONVILLE, Fla. — (UPI) — A federal judge rejected a motion Monday to throw out an integration suit seeking to halt racial segregation at the Gator Bowl and all other public recreational facilities here.

U. S. District Judge Byran Simpson gave the city 20 days to answer the suit, filed Oct. 24 by six Negroes.

City Sol. Inman P. Crutchfield told the judge the suit failed to show specific instances where Negroes were denied use of various city facilities.

But Negro attorney Ernest D. Jackson argued that custom, policy and usage of enforced segregation at the facilities was sufficient to make a valid complaint.

Jackson maintained the constitutional rights of Negroes were violated by segregation policies.

Simpson denied both the motion for dismissal and a motion asking for a more definite statement on instances where Negroes' rights were violated. He granted part of a third motion to strike out certain wording in the suit.

The suit was one of the latest moves in efforts to integrate public facilities in Jacksonville. The city recently sold two municipal golf courses which had been ordered desegregated by federal judge.

Negroes Seek Sanford Civic Center Use

SANFORD, March 6 (AP) — A group of 50 to 75 Negro youths went to the Sanford Civic Center last night and demanded use of the recreational facilities in the building on an equal basis with white persons.

The group was refused admittance and the center closed.

Police Chief Roy Williams said the group then gathered on a street corner but police persuaded them to disperse. There was no violence.

City Manager Pete Knowles agreed to meet with representatives of the Negro group Monday. A spokesman for the Negro youths said they are members of the Young Men's Social Club and want a civic center for Negroes or the right to use the one the city restricts to whites.

White Girl Is Slapped, Near-Riot Jails Negro

By the Associated Press

A husky Negro who slapped a white girl's face after their cars brushed bumpers in Miami, Fla., was in jail today accused as touching off a race riot.

More than 20 carloads of police armed with riot guns and tear gas rushed to the scene, where white and Negro neighborhoods meet, to disperse a crowd of 200 persons.

Police said the 200-pound Negro, Morgan Junior King, 25, slapped the face of Theresa Mahoney, 19, fought with her escort and then tried to flee when two unidentified white men leaped from another car and fired two shots at him. The white men sped off. Others in the crowd grabbed Mr. King.

Mr. King was charged with inciting a riot, reckless driving, vagrancy and aggravated assault.

A 63-year-old white minister campaigning against segregation on a Negro college campus at Marshall, Tex., was picked up and carried bodily to jail after he lay down on the grass to avoid accepting a warrant. He is the Rev. Ashton Jones of Los Angeles who travels the Nation in a bus on which placards depict a white and a black hand clasped together.

In Nashville, Tenn., Charles Edward Wright, Negro, 18, was arrested for breach of peace on a charge by a 16-year-old white girl that he tried to date her. And three Negro students at Fisk University said four overall-clad men threatened them when they sought and were refused service at a bus terminal lunch room.

There was no trouble in Chattanooga, Tenn., where 15 Negro students staged a brief sit-in at an F. W. Woolworth lunch counter. Street fighting had followed Negro demonstrations there several weeks ago.

Negroes Picnic In Florida State Park Area For Whites

ORMOND BEACH, Fla. — (UPI) — Members of a Negro Bible school class from Daytona Beach ate a picnic lunch at the Tomoka State Park Tuesday in an area normally reserved for whites only.

The Rev. E. C. Tillman, Negro, a leader in local integration efforts, accompanied the group of bout 70 children and six adults. The Bible class was from Tillman's Mt. Bethel Baptist Church in Daytona Beach.

Tillman is one of two Negroes named several weeks ago to Gov. LeRoy Collins' Biracial Committee to seek an answer to Florida's racial problems.

Separate picnic facilities are provided for both Negroes and whites at the park, located about three miles north of here. But Tillman protested the Negro area was "highly inadequate."

The Negroes drove into the white section shortly before noon in a chartered bus, ate lunch, then left about 1 p. m. without incident.

Witnesses said about 20 white persons were in the area but there were no reports of violence.

At Tallahassee, assistant Park Service director Walter Colwell said the Negroes were asked to leave the white section but they refused. Colwell said no other action was taken.

He said the state board wanted to avoid "any racial incidents." He said it was the second time Negroes had entered the white area. The last time it happened was on June 9.

GOV. COLLINS DECRIES WIDE RACIAL STRIFE

Special to The New York Times.

CHICAGO, Sept. 9—Gov. LeRoy Collins of Florida accused "much of the political leadership of the South" today of having "failed miserably" to meet "problems of racial adjustments."

He declared that too many Southern leaders had "encouraged the erection of barriers to communication between men of goodwill of all races, thus inevitably setting the stage for conflict and disorder."

"They have failed to counsel Southerners to be reasonable, to be patient and, most important of all, to look forward and think and act constructively," he told a luncheon meeting of the Executives Club of Chicago at the Sherman Hotel.

He declined in an interview to name the leaders he had in mind, but said in the speech:

"Senators, Congressmen, Governors and Mayors too often have been far more concerned with how they would personally come out on election day than with how the nation and the people would come out."

He asserted that "our past failures" did not make him pessimistic because it was out of failure that "great leadership" would arise in the South to overcome "demagoguery and selfishness and prejudice."

"Our days of political provincialism are numbered," he added.

Whites Chase Demonstrating Negroes In Tampa

TAMPA, Fla.—Five white men armed with baseball bats and canes were arrested Saturday after they chased three Negro youths from in front of a downtown variety store.

No blows were exchanged. The Negroes were released after questioning. Police Inspector James L. Powell said the white men would be charged with assault.

The chase began moments after the youths came out of one of 18 stores which opened its lunch counters to Negroes last week.

They told officers they went into the store and purchased some doughnuts. They didn't seek service at the lunch counter.

Large numbers of officers patrolled the business district during the day after a group of white persons began picketing one of the stores.

Men carried signs saying, "Please do not patronize any store integrating lunch counters," and "I closed my account. What will you do? Don't spend your money for integration."

Pickets declined to give their names to newsmen or disclose the name of their leader.

Ask Collins Aid In Jacksonville

NEW YORK — (UPI)—Three officials of the Urban League suggested yesterday that Florida Governor LeRoy Collins appoint a state-level bi-racial commission to deal with such racial problems as the violence that flared in Jacksonville.

Mahlon Puryear of Atlanta, southern field director of the League, made the proposal at a news conference here and it won endorsement from Dr. Warren Schell and Junius Bowman, chairman and executive director of the Jacksonville Urban League respectively.

Negroes and Whites Lack Understanding

By W. D. Workman

Whites and Negroes of the United States could avoid much of the bitterness which now marks race relations if each group had a clearer idea of what the opposite group really wants.

The recent findings of two Southern sociologists bear out that contention. Drs. Charles M. Grigg and Lewis M. Killian, of Florida State University, sampled both white and Negro opinion in a Southern city and found little correlation between what Negroes say they want, and what whites think Negroes want. Their study embraced this conclusion:

"The difficulty of achieving understanding is undoubtedly increased by the fact that a large group of whites, the least well-educated, thinks that what the Negro wants are the things that they (the whites) are least willing to give—greater personal intimacy and school desegregation."

The Grigg-Killian study supports the findings of earlier studies which disclose that Negroes generally, by their own assertions, are most interested in attaining practical goals which affect their economic and legal standing. They are much less interested in achieving personal association, according to Dr. Killian, and they even rank school integration in fourth priority.

The survey points up one of the real tragedies of the current crisis in race relations: That whites and Negroes are in many instances working at cross purposes in their continuing determination to assert their rights.

The tragedy is compounded by the insistence of Negro leaders in spurring agitation and demonstrations of types calculated to heighten, rather than lessen, the white resistance to Negro demands.

If the Negroes' own testimony is to be accepted, they are more concerned with improved work opportunities than in integrated worship. Yet, they persist in "kneel-in" demonstrations at white churches.

They probably are interested more in getting jobs than in integrated service at department store lunch counters, yet the "sit-in" demonstrations continue at those stores.

And despite the manifest effort of school authorities everywhere, including the South, to provide constantly improving school facilities, Negro leaders concern themselves more with integration than with education.

The demonstrations and litigation which result from these efforts at integration have achieved some small degree of success, and may continue to do so. But at the same time, the gains made in response to these demands have been at the expense of more important gains which could have been achieved through different methods.

There is a substantial body of opinion among whites, both within and without the South, which holds that Negroes should be accorded economic opportunities, legal rights (including that of voting), and community recognition in proportion to their qualifications. But those who hold this view are confronted with the exasperating insistence of Negro agitators for lesser privileges which invade the realm of social relationships.

A natural consequence is a hardening sense of reluctance or refusal on the part of white persons to cooperate with Negroes in making the racial readjustments so badly wanted in the economic field. And, up to this time, the principle of free enterprise still works to a degree in that field, at least in areas where so-called Fair Employment Practices legislation has not taken away from an employer the right to hire and fire according to his own discretion.

Many a white citizen has it within his economic position or legal power to extend a helping hand to his Negro neighbor. But he finds his incentive blunted by the sight of Negroes invading his church, his children's school, his lunch counter, and his recreational area.

Thus boomerangs the Negro program of propaganda and agitation. By pressing for those things which apparently are lowest in the Negro scale of values, the Negro agitator lessens the likelihood of the Negro's achieving those things which he really wants. And the white man, seeing and feeling Negro agitation in areas where whites are most sensitive, concludes that the Negro's chief goal is social intermingling.

The result is stalemate and bitterness

NEW NEGRO ACTION

U.S. Court Asked To Ban Links Sale

The U.S. District Court yesterday was asked to prohibit the City of Jacksonville from selling the municipal golf courses to private operators.

The new action, by a group of Negro golfers, also asks that if the courses are sold, the new owners be restrained from restricting play upon them to white persons only.

The pleas came in the form of a petition to modify a final decree issued by Judge Bryan Simpson last April 1, which enjoined the city from placing any restrictions upon the use of the municipal links by Negroes.

Filed By 4 Negroes

It was filed by the four Negro golfers who were plaintiffs in the original suit, Frank Hampton, Edward Joseph Norman, Devoye Austin Brown and Charles M. Brown.

The original suit, based upon the allegation that segregation on the courses was an infringement of the Negroes' civil rights, led to the closing of the links when the decision was handed down and to an ultimate decision by the city to sell the courses.

Sale of the Hyde Park Municipal Golf Course to Fred A. Ghioto for $615,000 has been authorized by City Council and concurred in by City Commission, but the formality of closing the sale has not yet been concluded. An apparently acceptable bid of $600,000 has been submitted for the Brentwood course by Roland L. Hurley and referred to an awards committee for study. The Brentwood sale, if the Hurley bid is accepted by the commission, must then be authorized by a council ordinance which is subject to the concurrence of the commission.

Extra Defendants Asked

The petition filed yesterday asks that Ghioto and Hurley be made party defendants in the original suit.

According to the petition, the proposed sale of the courses, because of the low down payment required and the long term of the mortgage—40 years—is not a bona fide one.

The Negro golfers also allege the sale is an act of subterfuge to abridge the rights of Negroes and was promoted by the city after the court entered its permanent injunction restraining the city from segregating the courses.

The petition notes that one of the purchasers, Ghioto, has stated publicly that the course he will own will be open to the public but its use will be limited to white persons only. This restriction, the plaintiffs declare, is a denial of civil rights under the 14th Amendment.

No date has been set for a hearing on the petition.

WOMAN IS ASSAULTED

Negroes Use Baseball Bats In Jacksonville Attack

JACKSONVILLE, Fla., Sept. 3—(AP)—A 50-year-old white woman was criminally assaulted, police said, and her husband and another white man were beaten Saturday by two Negroes armed with baseball bats on the outskirts of racially tense Jacksonville.

The Duval County Patrol said it could not determine whether the attack had any connection with racial disorders which broke out a week ago in the downtown area.

Police meanwhile moved through the city picking up Negro youths suspected of being involved in a wave of vandalism that followed a near clash between Negroes and whites last Saturday.

Six young Negroes were taken to the city jail for investigation and others were sought. Police said the six were armed with guns or clubs when arrested.

Anti-Jew, Negro Plots Uncovered

JACKSONVILLE, Fla. (UPI) — A police intelligence officer said Monday that evidence pointing to national anti-Jewish, Anti-Negro organization headed by a "fanatical fuhrer" in the North has been turned over to the FBI in Washington.

Lt. J. O. Crews, head of the police department's intelligence division, said a self-professed admirer of Nazi doctrines had been arrested in connection with smearing of swastikas on the Jacksonville Jewish center.

"The suspect may be the local leader of a national anti-Jewish, anti-Negro underground organization under the direction of a fanatical fuhrer operating out of a northern city," Crews said.

RELEASED FROM JAIL

The 25-year-old suspect was released from jail Saturday night, pending an FBI laboratory analysis of evidence sent to Washington, D. C.

"We turned over all evidence and findings of local interrogations to the FBI in Washington." Crews said: "It should receive priority attention and we should have a report back by mid-week," the officer said.

Crews declined to identify the suspect, but he said "the case here has a definite link to a well-known anti-semitic writer from Virginia who supplied pro "Nazi Material to members of a group arrested for the 1958 bombing of the Atlanta Jewish temple."

The officer has conducted intensive investigation into possible anti-semitic and anti-Negro activities here since the 1958 bombing of the Jewish temple and a Negro high school. He works under Det. Chief H. V. Branch who heads the southern conference on racial bombings.

Crews said phrases used in two warning letters to Jewish congregations in Jacksonvill prior to the swastika-paintings are similar to slogans found in material from the Virginia bigot.

The warnings, which were turned over to the FBI last week, said, in part, "death to the Jew in 72." The letters were marked by red swastikas.

The suspect, married with two children, is known to have received literature and Nazi decorations by mail from a northern city. When arrested, he was carrying Neo-Nazi literature, Crews said.

Miami Bids For Guests

MIAMI — A person of color who now travels to this magical city of Miami, and eventually checks in, at the Sir John resort hotel, would be disturbed that not long ago, such hospitality and such pleasures were absent. Tourists may now come to Miami and enjoy an ever increasing freedom of enjoyment because, in this city of more than 500 resort hotels, the doors are opening wider and in greater quantities, as the days pass.

Miami officially welcomes your presence, to enjoy a greater vacation in greater Miami. The Sir John is a typical nerve center of this extended hospitality, at a time when almost every facility and convenience, from the dog tracks to the most elaborate hostelries, are open to all guests, without respect to race.

HYDE PARK HURDLE

Negro Legal Move Looms over Links

By J. C. GREEN
Times-Union Staff Writer

Plans for reopening the Hyde Park golf course on a segregated basis apparently faces a hurdle which is expected to be decided by the U.S. District Court.

Attorney Ernest D. Jackson Sr. revealed yesterday he plans to file proceedings in U. S. District Court later this week seeking to secure golfing rights for Negroes.

The Jacksonville City Commission closed the city-owned Hyde Park and Brentwood golf courses last April and advertised them for sale after a federal court ruling granted Negroes equal playing rights with white golfers. Negroes had been allowed to play at Hyde Park one day each week and at Brentwood one day each week.

Ghioto's Plans

City Council Tuesday night passed an ordinance authorizing sale of the Hyde Park course to Fred A. Ghioto, the course professional, for $615,000. The ordinance is subject to City Commission's concurrence Tuesday. Ghioto has announced plans to reopen the course to white golfers only as soon as necessary legal steps to close the sale have been taken, perhaps within a month.

Jackson, attorney for the Negro golfers who filed the original suit in the U. S. District Court here, said he will take one of two courses of action.

One, he said, would be to file a petition asking the court to modify its final decree so that the equal playing privileges for Negroes would apply to the Hyde Park course after it is sold by the city.

Jackson said the alternative would be to file a new suit, seeking a declaratory decree which would spell out whether Negroes had a right to play on the Hyde Park course if Ghioto takes over.

Basis of Case

Jackson said he will base his case on a contention that the city still is exercising control over the courses by a condition of the sale, which requires Ghioto to operate the Hyde Park property for golfing purposes only.

Jackson contends that since the city would still exercise some control over the course after a sale, it must be used for the benefit of all citizens equally regardless of race and that the city is not relieved of its responsibilities under the original federal court decree.

Bids for purchase of the Brentwood course are slated to be opened by City Commission Tuesday. Any court decision applying to the Hyde Park course also would apparently govern the Brentwood layout.

Integration Of Tampa's Parks Asked

TAMPA, Feb. 2 (AP)—A group of Tampa Negroes today petitioned the City Park Board for integration of all city recreation and playground facilities.

Frank Neff, superintendent of the parks department, said the petition came in the mail.

It carries no legal weight but could be a step leading to court action in the matter.

Francisco Rodriguez of Tampa, an attorney for the National Assn. for the Advancement of Colored People, said he may file a federal court suit against the recreation department if requests in the petition are not carried out.

A group of Negroes called on Mayor Julian Lane several months ago to open city-owned Lowry Park to Negroes. The mayor set up a committee of prominent Negroes and whites to study the matter and make recommendations.

Neff said the petition he re-

ceived calls for an answer within 10 days. He said it was addressed to the mayor, all members of the City Council, the head of the recreation department, and all members of the recreation board and park board.

The petition, signed by six persons, asks that all city recreational facilities "now used exclusively for white persons and denied Negroes be open to all citizens of Tampa."

The city is in the midst of building a golf course and providing other recreational facilities for Negroes at Rogers Park.

Hyde Park Links Sale Is Closed

Arrangements Are Made to Open Course Monday

Sale of the Hyde Park golf course to Fred A. Ghioto for $615,000 was closed by the city yesterday as arrangements were made to open the links for play Monday.

The deal was closed in the office of City Atty. William M. Madison, who also is preparing to close out the sale of the Brentwood golf course to Roland L. Hurley for $600,000. Madison said he expects the Brentwood sale to become final within 10 days.

Vince Ghioto, brother of Fred Ghioto and the assistant golf professional and assistant manger of the Hyde Park layout, said the clubhouse doors will open at 7:30 a.m. Monday.

The cost of playing golf at the Hyde Park and Brentwood courses under private ownership will be more than double the fees charged by the city.

Ghioto and Hurley have jointly announced each course will have annual membership fees of $15 with a $10 fee for dependents of members.

They said members will pay a $2 greens fee, while the greens fee for guests will be $3.50 each. Membership cards from one course will be honored at the other.

Under city ownership, the greens fee at each course was $1.

The City Commission voted to close the courses last April and advertised them for sale after a federal court ruling granted Negroes equal playing rights with white golfers. Negroes had been allowed to play at Hyde Park one day each week and one day at Brentwood.

Collins Cites 'Morals' As Key To Integration

TALLAHASSEE, Fla.—(UPI)— Gov. Leroy Collins, who insists he has no panacea for the nation's racial problem, said Wednesday that it can only be solved through application of basic moral principles on the part of both the white and Negro races.

Collins, in the final year of a governorship to which he cannot succeed himself, is leader of a state that has become a great southern melting pot where the sun-loving and the fun-loving from all over the nation mingle.

In this cosmopolitan situation, racial attitudes range from strong integrationist feelings to some of Dixie's stubbornest segregation stands.

LEGAL RIGHT

Collins' opinion on the wave of restaurant sitdowns by Negroes is this: Merchants have a legal right to keep Negroes from being served, but he doesn't think "they can square that right with moral, simple justice."

Florida has been hit by sitdowns in at least ten places. Here in Tallahassee, which was on the verge of serious violence, 46 person including six whites were arrested. Other Negroes were arrested in Tampa and St. Augustine.

In the midst of the tension the governor made an address to the people late on a Sunday afternoon, often reaching for a well-used Bible to emphasize the issues confronting people today.

"When there is division there is suspicion, there is fear, there is distrust and ultimately there is hate, and hate consumes and destroys," he said.

Negroes Integrate Jackson Hospital Cafeteria Quietly

By ARTHUR JOHNSEY
Herald Staff Writer

Negro employes of Dade's big Jackson Memorial Hospital Wednesday quietly integrated the hospital's cafeteria.

It previously has been used by white hospital personnel.

About 30 or 40 Negroes, visiting in the cafeteria line for lunch, entered by twos and threes. They were admitted after County Attorney Darry Davis told Hospital Director Dr. Kermit Gates he knew of no legal basis to exclude them.

County Manager D. W. Campbell concurred in a plan to keep the situation under surveillance of plainclothes men, but to make no move to halt the Negroes.

The Negro workers waited in line between larger groups of whites. They took their food to the cafeteria's small tables, which seat no more than four.

For the most part, they ate in their own groups by themselves at the tables.

The incident provoked little comment among whites at nearby tables.

The cafeteria feeds 1,000 nurses, nurses aides, technicians and doctors daily.

About five county plainclothesmen stood near the double swinging doors at the entrance. One of them warned photographers, "these people have a right to come in here, so don't do anything to start any excitement."

Dr. Gates said Henry Wells, 24, who led the move and was first in line, will lose his temporary job as a laboratory technician.

But that, said Gates, is because Wells falsified his job application when he was hired three weeks ago. Gates said an FBI report showed Wells was AWOL from the military in 1954 and had this on his "record." That would have cost him his job regardless of his role in the integration move, said Dr. Gates. The investigation of Wells' past, he said, was "routine," as in the case of all employes.

Wells admitted he was AWOL for a time, but said he turned himself in to military police, was never tried and left with an honorable discharge.

Wells said Wednesday's incident grew out of grievances among many of the hospital's 700 Negro workers and was a "spontaneous" action. He said it was not prompted by any group.

They were dissatisfied, Wells said, with the price and quality of food served them in the segregated "hospitality shop."

The hospital's two hospitality shops serve the public — one white, the other colored.

The cafeteria is for employes.

To clarify his legal interpretation, Davis said the owner of the hospitality shops, leasing the space, would be allowed to select his customers from the public. That, he said, is Florida law. But he said barring employees of one race from the hospital's cafeteria for employes was in a different category.

Negroes Beat White Men, Attack Wife

JACKSONVILLE, Fla. (AP) — Two Negroes armed with baseball bats beat two white men and raped a white woman, 50, Saturday in a rural area south of this racially tense city, police reported.

The Duval County patrol said the husband of the rape victim was admitted to a hospital with a broken arm and head injuries. The woman and a male family friend were treated and released.

Patrolmen J. A. Wright and Joe Frigo would not say if they thought the attack was connected with recent racial disorders. The three persons were not identified.

Jacksonville streets took on the appearance of a normal Saturday. But police were watching closely to prevent a recurrence of disorders which broke out a week ago.

Negroes Switch Roles With Whites in Course

MIAMI, Fla., Aug. 16 (AP) —Negro and white students at a racial workshop played roles of adversaries today as they practiced methods for breaking the color line.

At a course arranged by the Congress of Racial Equality, the students played the respective role of a white manager denying integration of a movie theatre and Negro leaders seeking intergration.

Yesterday they learned how to control themselves if attacked physically.

"The socio-drama is a very effective way to learn how to put yourself in the other man's position," Gordon R. Carey, associate director of the program, said.

In today's session, Negroes and whites first argued their case, then switched roles. The Negroes then represented the managers and the white members sought integration.

The course is being attended by ten white and sixteen Negro members of the congress.

SOUTH CAUTIONED ON RACIAL ISSUE

To Ignore It May Indicate Surrender to Demagogues, Graham Tells Publishers

By RUSSELL PORTER
Special to The New York Times.

BOCA RATON, Fla., Nov. 15—Dr. Frank P. Graham urged moderate Southerners today not to ignore the racial issue.

Speaking at the fifty-seventh annual convention of the Southern Newspaper Publishers Association, the former president of the University of North Carolina said:

"If we ignore it, the demogogues can take over by default, and what happened in Little Rock might happen in other Southern cities."

Dr. Grham made the statement at a panel session in which five convention speakers were questioned by four editors. Dr. Graham, who was among the five, had discussed phases of the South's economic future. Dr. Walter Prescott Webb, Texas educator and historian, had criticized the South's "over-concern" with the racial problem as a handicap to full realization of its economic leadership potential.

James E. Mills of the Birmingham (Ala.) Post-Herald, a panelist, asked Dr. Webb if he thought the racial problem should be pushed aside or forgotten.

Dr. Webb replied "no," but said he thought it had been over-emphasized in public discussion. He said it should be minimized in talking about economic development so it would not interfere with progress.

"Don't over-emphasize it, but don't ignore it," Dr. Graham added. He urged Southerners to be more active in emphasizing the good points of their record on racial relations.

"It is a significant fact," he said, "that only one-tenth of the world's Negroes live in the United States, but more Negroes are attending colleges and universities in the United States, mainly in the South, than in all the rest of the world."

He related this to a huge increase in expenditures for public education in the South, from $5,000,000 in nine states in 1875 to $1,200,000 in thirteen states in 1952.

In recent years, he said, the southern states have made magnificent progress in equalizing expenditures for white and Negro and urban and rural education.

Dr. Graham emphasized that the United States Supreme Court decisions outlawing racial segregation in public schools were the law of the land and should be obeyed.

Cites Youth Ideals

He said the lunch-counter sitins by Negro students constituted a Southern youth movement based on the ideals of the Revolution. These ideals, he said, actuate Negroes in colonies and other exploited peoples seeking independence in various parts of the world.

C. A. McKnight of the Charlotte (N. C.) Observer asked Dr. Graham bow he would develop the program of Federal aid to education that he had advocated.

Dr. Graham replied that Federal aid should be used to equalize regional imbalance in the nation, as state aid had been used to equalize imbalance within states.

"One-third of the nation's children are in the South, but only one-sixth of its income," he said. "These children will become citizens of the United States, as well as their individual states.

"There are regions in the United States which, however such they spend, cannot equal the national average, so that the national Government has to supplement state and local expenditures but without Federal control."

Federal aid should not be limited to school construction, he declared, but should be available for teacher salaries.

Dr. Graham, who is now United Nations representative for India and Pakistan, urged the publishers to support the world body in the face of a "massive assault" on it by the Soviet Union.

"We must preserve the U. N. as a voluntary system of international cooperation if we are to prevent the development of a totalitarian world police state," he warned.

"There is an absolute necessity for the U. N. in the atomic age to prevent World War III, which might destroy the human race."

Turner Catledge, a Mississippian who is managing editor of The New York Times and president of the American Society of Newspaper Editors, was moderator of the panel session.

Robert C. Miller, publisher of The Florida Times-Union and The Jacksonville Journal, was elected president of the association. He succeeds Hugh B. Patterson Jr., publisher of The Arkansas Gazette of Little Rock, who was elected chairman of the association's board.

Ben Hale Golden publisher of the Chattanooga Times, was re-elected treasurer, and Tom Tanner was re-elected secretary-manager.

The following directors were elected:

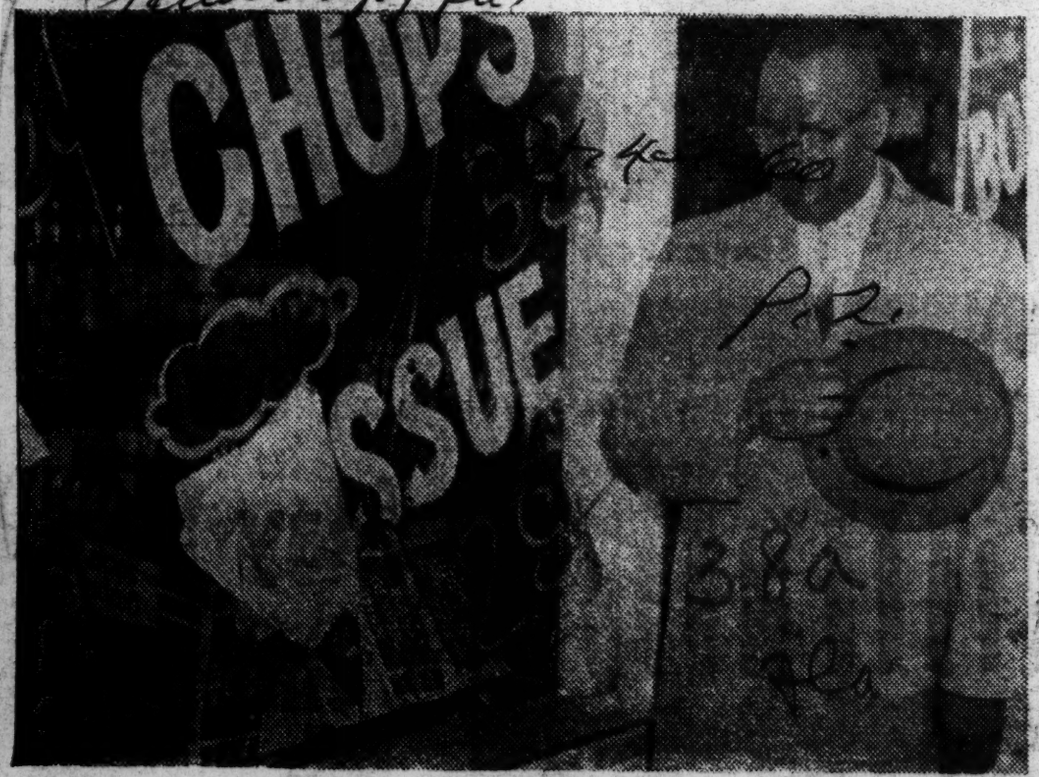
Ralph W. Callahan, general manager of The Anniston, (Ala.) Star; Bert Struby, general manager of The Macon, (Ga.) Telegraph and News; Rex A. Justus, business manager of The Tulsa World; Albert N. Jackson, vice president of The Newport News, (Va.) Daily Press and Times-Herald, and John M. Tapers of the Tallahasse, (Fla.) Democrat.

CORE President, AME Pastor Are Targets

The Pittsburgh Courier

Vandals Attack Freedom Fighters' Property

Pittsburgh, Pa.



PRAYS FOR VANDALS — The Rev. D. B. Speed offers a prayer for white vandals who tossed a brick through the window of his store in Tallahassee, Fla.



GOOD MORNING!—The Rev. T. S. Johnson of Tallahassee ponders the damage done to the windshield of his innocent car by white vandals in the Florida town.

TALLAHASSEE, Fla. — As punishment for participation in the fight for freedom here in the capital city of Florida—it is assumed that members of the White Citizens Council had a field night on Saturday, March 19.

38a 1Ca

Sunday morning, Rev. T. S. Johnson, pastor of Fountain Chapel AME Church discovered that a brick had been used to break the windshield of his car—the inside had been ruined.

Later during the night it was discovered that Speed and Company grocery store had not been missed. A large window had been broken. D. B. Speed, owner of the store has played an important role for freedom since the 1956 bus protest.

■

IN CONTEMPLATING the damage done to his store, the Rev. Speed offered the following prayer: "Father, God, forgive those of your image that have committed the wrong in smashing glass in food store windows, homes, automobiles, and many other sins upon their hands in this our Southland, for we are in love for them like our Christ, for they know not what they do."

During the fall at the organization of the local CORE group, Rev. T. S. Johnson was elected president.

This is the organization that has sponsored sit-ins here in Florida's capital city in which a total of 46 students, white and Negro, have been arrested for attempting to secure service.

At present, six students (Negroes) are in jail in protest of the segregation laws.

Negro Bares Bay County Mixing Bid

The Montgomery Advertiser

Montgomery, Ala.

PANAMA CITY, Fla. (AP)—A Panama City Negro said Saturday members of his race will press for equal use of the Bay County Pier and West Panama City Beach, now reserved for whites.

Sun. 6-19-60

Negroes have the use of St. Andrews State Park, but must pay a 25-cent toll to get to the park. The county commission two weeks ago asked the state to move the toll gate beyond the park entrance so Negroes could enter without paying.

38a 2Ca

The commission also requested that the sunrise-to-sunset hours for the Negro park be extended.

Timothy Youngblood, an official of the Bay County Progressive Voters League, said in a letter to the commission Saturday, however, that "strong opposition" to the commission's request was voiced at a recent league meeting.

He said the reason for this stand "is that to stop Negroes from paying the toll and to require whites to continue to pay is not right. This is a complete segregation in the respect and this is one thing we're fighting to get away from."

There was no immediate comment from the commission.

Youngblood also said in a statement that a committee has been formed to try to meet with the commission soon to discuss the matter more thoroughly.

"No matter how far officials or citizens may try to get away from the idea of Negro people using the county beach, it will be in vain," he said.

Segregation Feud Enlivens Fla. Primary

News & Herald Sunshine New Orleans

TALLAHASSEE, Fla., May 21 (UPI).—An estimated 800,000 Florida Democrats will choose between Sen. Doyle Carlton jr and Farris Bryant for Governor Tuesday, ending a campaign that turned almost overnight from a dull popularity contest into a roaring feud over segregation.

Sun. 5-22-60

Mr. Bryant is a forty-five-year-old Ocala attorney making his second try for Governor. Sen. Carlton, thirty-seven-year-old Wauchula rancher and son of a former Governor, has never run for state-wide office before. Barring a major upset by Republican George Peterson in November, one of these two Democrats will succeed Gov. LeRoy Collins in January.

1.43

The ballot is short and a decision should be known within a few hours after the polls close, unless the race is so close that late-counting precincts and absentee votes could influence the result.

Mr. Bryant and Sen. Carlton were just 7,000 votes apart in the first primary when they led a ten-man field into the run-off.

Negroes Invade Park Restroom

ORMOND BEACH, Fla. (UPI) —Tomoka State Park here was ordered closed today because a group of Negro children and adults used white sanitary facilities Tuesday.

"This is the second time Negroes availed themselves of the sanitary facilities," said John Site Robertson, chairman of the State Park Board. He said there are separate but equal facilities for Negroes at the park.

"The State Board of Health has a regulation requiring all persons and organizations which shall cater to the public to maintain separate facilities," said Robertson. "We feel it is our duty to observe those regulations."

Florida closes park after children use 'wrong' picnic area

DAYTONA BEACH, Fla. — Because 123 colored children used the "white only" picnic area, Tomoka State Park was closed by the chairman of the Florida Board of Parks and Historic Memorials.

The assistant director of the board, Walter A. Coldwell, said in Tallahassee the two bus loads of children came to the park last Tuesday, and asked directions to the white picnic area. They were admitted without question.

John F. Robertson of Sarasota ordered the park closed under a law passed in 1959, giving state officials power to shutdown facilities, rather than risk disturbance.

Equality Workshop Crux of Arguments

Racial Hassle Erupts on TV Show

By IVAN SWIFT
Herald Staff Writer

The Congress of Racial Equality (CORE) workshop in countering segregation started here Sunday with a quiet registration of about 25 participants and a hectic television hassle between CORE spokesmen and Miami segregationists.

The three-week sessions, held for the second year in Miami, begin with theory and end with practical work — "direct action" at some not yet specified local segregation practices.

James R. Robinson, national executive secretary of CORE, and A. D. Moore, a local CORE official, spent a half-hour with Miami Attorney William Pruitt and J. H. Keathley, prime segregationists, throwing verbal rocks at each other.

Among the choicer exchanges of phrases were:

Pruitt blasting Robinson for being a "carpetbagger — this white man from New York — a carpetbagger in our midst."

Moore of CORE answering points raised about inter-marriage with "it's an insult to white women" to think that if integration comes about "white women will be marrying Negro men."

Robinson, answering penetrating questions from Herald Writer John McDermott, a regular panelist on Channel 10's "Important" show, explained why he became involved in the Negro fight for equality.

Robinson said he is a Roman Catholic raised in up-state New York, and the Ku Klux Klan was active there when he was a boy. He saw some of its literature, he said, and he knew that part about Catholics wasn't true.

So he refused to believe the parts about other minorities, including Negroes.

Robinson was in CORE from its beginning in Chicago in 1942, he said, but didn't become a paid worker until a few years ago.

Pruitt, who slugged hard at the CORE spokesmen, said its theme of "non-violence" 'is "double-talk," and its program is as "illegal as robbing, stealing, pilfering."

He wanted to know why the CORE meeetings aren't open to the press, so the public will know what is discussed.

"The hungry Negroes in South Dade aren't looking to CORE, they aren't looking to the NAACP, they're looking to the white man — not you, a paid agitator," he said.

Robinson answered the agitator-carpetbagger label by saying that about half the workshop group is white, and some of them are white Southerners.

Asked what CORE's goals are, Robinson said "they don't stop at integrating lunch counters — at an orange drink and a frankfurter."

Robinson earlier explained why Miami was chosen for the workshop.

Participants in the workshop are mostly college students, and they come from different parts of the country, he said.

"One of the reasons this is a good place is that persons from the North and the South get training for both types of areas," he said. "Florida is the deep South — Miami isn't."

Negro Ministers Indorse Tallahassee Store Boycott

By United Press International

The Tallahassee, Fla., Negro Ministerial Alliance yesterday indorsed a proposed boycott of downtown merchants in support of anti-segregation demonstrators.

The boycott was called to protest the jailing of eleven Negro lunch-counter demonstrators last month. Six of the eleven chose to serve sixty-day jail sentences instead of paying fines, and are in custody. The Ministerial Alliance adopted a resolution saying the boycott of stores would be a means of "dramatizing" the feelings of Negroes in Tallahassee and to "protest the implication of second-class citizenship."

At Daytona Beach, Fla., Negroes demanded integration of muncipal golf courses, the city baseball stadium and the municipal airport's lunch counter in letters to City Manager Cletus Allen and other officials.

22 Fined in Memphis

Memphis, Tenn., City Judge Beverly Boushe levied fines yesterday on twenty-three Negro students arrested during sitdown demonstrations. Seventeen demonstrators who entered a downtown library branch and a public art gallery were fined $26 each on disorderly charges and six arrested outside the art gallery were fined $16 each on loitering charges. The city contended that the demonstrations constituted disorderly conduct.

The total number of Negro students convicted of breach of the peace charges during demonstrations at Orangeburg, S. C., last month reached 114 with conviction of another group of fifty. Magistrate D Marchand Culler released them on $100 appeal bonds after imposing fines of $50 or thirty day jail terms.

Rabbi Leads Pickets Here

Thirty-five members of the American Jewish Congress yesterday picketed the F. W. Woolworth Store at Fifth Ave and 39th St. from 12:30 p.m. to 12:55 p.m. in protest against lunch counter segregation in the South. The group was led by Rabbi Joachim Prinz, president of the congress and spiritual leader of Congregation B'nai Abraham in Newark, N. J. The pickets carried placards bearing Biblical inscriptions.

Women praise Gov. Collins

JACKSONVILLE, Fla. (ANP) — The Jacksonville Barristers Wives Organization, a group made up of the wives of local colored attorneys, has written a letter of praise to Gov. LeRoy Collins of Florida for his "fearless" moral stand on the Southern sit-down lunch counters demonstration, and offered help to the governor in a continuing fight for racial justice.

Mrs. Robert W. Gray, a spokesman for the group, told ANP she felt the governor should be lauded for the stand he took in a television speech recently.

* * *

IN THE SPEECH from Tallahassee, the state capitol, recently, Gov. Collins told a statewide radio and television audience that stores which cater to the general public and refuse colored persons lunch counter service are "unfair and morally wrong."

Commenting further on the sit down demonstrations which have led to the arrest of more than 1,000 persons in the South since Feb. 1, the governor said in part:

"As far as I'm concerned, I don't mind saying that if a man has a department store and he invites the public generally to come in his department store and trade, I think then it is unfair and morally wrong for him to single out one department, though, and say he does not want or will not allow colored Americans to patronize that one department.

"...He has a legal right to do this. But I still don't think he can square that right with moral, simple justice...."

* * *

PART OF THE LAWYERS Wives' letter said:

"We realize that in the State of Florida and in the Southland, where there are numerous persons opposed to moral, religious and legal policies, that one must set aside his personal fear in order to speak his or her convictions. We feel that you did this in your broadcast and we commend you.

"In view of the termination of your governorship, we have no knowledge of what this organization can do collectively and individually to assist you in providing equality and understanding to mankind. We are not a political organization as such, but individually, we feel that you have given prestige and respect to this State of ours, and should we be in a position to assist you in your endeavors, please do not hesitate to contact us...."

Members of the Barristers organization are Mesdames Releford McGriff, D. W. Perkins, Robert R. Robinson, Ernest D. Jackson, Earl M. Johnson, Jennings Best, John Muse, Otis Girardeua, Robert W. Gray and Mrs. Winona C. Alexander.

Negro Boys Seized from Picket Lines

Juvenile Court Judge Marion W. Gooding yesterday acted swiftly in following his warning against the use of children on picket lines in the series of Negro demonstrations in Jacksonville.

Four boys between 14 and 16 were taken into custody by city and county juvenile authorities under instructions from Judge Gooding. They were held in the juvenile shelter until called for by their parents.

The boys were released to their parents late yesterday afternoon. The boys refused to give their names or the names of their parents to authorities. It was not until several ministers talked to the boys that the parents were located.

Judge Gooding said the temporary detention of the children "is the only thing I can do in trying to protect their welfare."

On Tuesday, the judge issued a warning that the use of children under 17 as pickets would constitute a violation of a juvenile law which makes parents liable for contributing to the delinquency of their minor children for allowing "behavior or association . . . such as to injure or endanger the welfare of the child or the welfare of others."

Judge Gooding gave instructions to authorities at the shelter to release the four youngsters to their parents only on the personal promise from the parents that they will not allow the children to engage in any activities, such as the picketing demonstrations, that would be detrimental to the children's welfare.

The four boys held yesterday were taken into custody about 11:30 a.m. among a group of about 18 young Negroes picketing a downtown store. Those 17 or older were released immediately.

During the afternoon, the ministers and three attorneys sought the release of the boys from the shelter, but the court's instructions were that the parents must come for the boys personally. The parents were then cautioned against allowing the children to participate in similar demonstrations.

AT TALLAHASSEE

The Fla. Times-Union
Jacksonville, Fla.
Wed. 5-11-60

Negro Ministers Seek City Aid in Rights Bid

The Times-Union Bureau

TALLAHASSEE, May 10—A group of Tallahassee Negro ministers this afternoon requested assistance of City Commission to clear up what it termed "an intense and intolerable situation" in local race relations.

P. 29

The group, representing the Interdenominational Ministerial Alliance, warned the Commission that Tallahassee Negro leadership is pledged to achieving "equal rights and basic dignity for every citizen."

The commission was asked to use its influence to assure better accommodations and facilities for Negroes including lunch counters, rest rooms, drinking fountains, libraries and police protection.

The Negro group termed its appearance before the commission "an indication of a more solidified determination to achieve equal rights in cooperation with city officials."

Prior to the start of the meeting, a group of Negro and white students left the commission room en masse after they were ordered by city policemen to sit in segregated seats.

Included in the group were several students convicted in city court last Saturday on charges resulting from a recent lunch counter demonstration.

In business action, commission adopted an ordinance requiring fences of at least four feet in height to be erected around outdoor swimming pools.

It accepted from the Tallahassee Optimist Club two acres of land and a building located in the southeast section of the city for use by the recreation department.

Construction of a sidewalk was authorized on the south side of Tharp street from Monroe street to Cordell drive. The sidewalk will be built by September to insure greater safety for students who walk to two schools in the vicinity.

AT TALLAHASSEE

The Florida Times-Union
Jacksonville, Fla.
Tues. 5-10-60

11 Students Post Appeal Bonds in Sitdown Cases

TALLAHASSEE, May 9 (AP)—Five white and six Negro university students facing $300 fines or 60 days in jail for participating in a lunch counter demonstration posted appeal bonds of $600 each today.

Their attorneys had indicated at the sentencing Saturday that they would seek review of the city court convictions in higher courts of the state.

P. 25

Had the five from Florida State University and the six Negroes from Florida A. & M. not posted bonds, they would have been required to pay the fines or start the sentences at noon today.

The fines were imposed by City Judge John Rudd who found the students guilty of disturbing the peace by staging the integration demonstration May 12. Eight of the 11 also were placed on a year's probation on conviction of the additional charge of unlawful assembly.

The disciplinary committee of FSU has indicated it will meet sometime this week to consider the cases of the white students. A. & M. President George Gore said he did not know what action the disciplinary group for that campus planned.

A. & M. officials said that five of its students who missed classes while serving 48 days in jail following conviction in an earlier sitdown case had withdrawn from school.

Six Students Fined In Fla. Store Issue

Atlanta Daily World
Atlanta, Ga.
Wed. 5-11-60

TALLAHASSEE — (UPI) — Six white students who participated in a dime store sitdown demonstration were placed on indefinite probation by Florida State University Thursday with orders to steer clear of future "acts of incitement."

P. 1

A&M University has not announced whether disciplinary action will be taken against six Negro students who participated in the March 12 demonstration.

FSU Dean of Students R. R. Oglesby said that in letting the youths off without suffering punishment, the university took into consideration their previous good records and the fact that City Court has already assessed penalties against them.

Four of the six, Stephen R. Poe, 20, Bradenton, Roland W. Eaves, 18, New Port Richey, Robert Armstrong, Jr., 21, Longwood, and John J. Poland, 17, Panama City, received sentences of $300 fines or 60 days in jail, plus a 30-day suspended jail sentence and one year's probation.

A fifth, Derek Lawler, 26, $300 fine or 60-day jail term.

They are free on $600 bonds, pending an appeal to the State Supreme Court.

City Judge John Rudd withheld judgment on Oscar Brock, Jr., 22, Orlando, and released him to his parents for two year's probation.

The recommendation for indefinite probation for the six white students was made by the faculty discipline committee which studied each individual case.

Student Trial End In Capital

The Miami Herald
Miami, Fla.
Sat. 5-7-60

By Herald Wire Services

TALLAHASSEE — Trial ended late Friday for a dozen college students charged with unlawful assembly during a "sit-in" demonstration at a Woolworth's lunch counter, but City Judge John Rudd delayed a verdict until 9 a.m. today.

P. 1

The 10-hour-long trial, interrupted for 45 minutes by a bomb threat hoax and frequent recesses, ran into the night during testimony by students who took part in the March 12 demonstration.

A defense motion for a directed verdict of acquittal was refused by Rudd after the city rested its case on testimony of Woolworth's manager, S. T. Davidson, Mayor George Taff and two policemen who made the arrests.

One student testified he was not at the lunch counter but was caught up in the crush and taken along to jail. Others said they did not hear Mayor Taff order them to leave the counter and a spokesman for the Negro students said he was in the process of polling the students for a decision on the order to leave when the arrests were made.

The trial was conducted in a jampacked courtroom, where sitting was segregated in accordance with local custom. The defendants and most of the spectators were students from the all-Negro Florida A. & M. University and the all-white State University, both located here.

Judge Convicts 11 in Sitdown, Cites Their 'Castro Tactics'

The Washington Post
Washington, D.C.
June 6

TALLAHASSEE, Fla., May 7 (UPI) — A city court judge convicted 11 white and Negro student siddown demonstrators today on charges of disturbing the peace and said their anti-segregation tactics were those of young Fidel Castros.

Judge John Rudd lectured the demonstrators and ordered them to pay fines of $300 each or serve 60-day jail sentences for taking part in a March 12 demonstration which police broke up with tear gas.

He blamed lunch-counter sit downs on "preachers, professors and organizations" using college students "for publicity purposes." He cautioned them against following "some professors who read so many books they have completely left the earth." He suggested the students check with the FBI to determine who to follow.

Rudd also said such tactics were those of youthful Castros, and said he could find no comparison in the Bible "where so small a group could intimidate and frighten the majority."

The students were from Florida State University (white) and Florida A&M (Negro), both located in Tallahassee.

The 11 youths said they will

Finance and transportation will attract the bulk of those persons attending conventions in Washington this week.

The Board of Trade has announced this schedule:

National League of Insured Savings, today through Wednesday, Statler, 400 expected.

National Association of Mutual Savings Banks, Monday through Wednesday, Shoreham, 1000 expected.

Eighth Highway Transportation Congress, Tuesday through Thursday, Mayflower, 600 expected.

Regular Common Carrier Conference—American Trucking Association, Tuesday through Friday, Shoreham,

600 expected.

American Helicopter Society, Thursday through Saturday, Sheraton-Park, 500 expected.

The Electric Components Conference, Tuesday through Thursday, Washington Hotel, 500 expected.

Catholic Press Association of the United States, Tuesday through Friday, Statler, 400

People, not laws, segregate in the north, Marshall says

The Afro-American Baltimore, Md
Apt. 3-26-60

NEW HAVEN, Conn. —Individual prejudice rather than state laws causes racial segregation in the north, Thurgood Marshall, chief of the NAACP legal staff, told the Yale Challenge colloquium Sunday.

Privately motivated segregation in the north is in some ways just as harmful as legal segregation in the South Marshall said.

"Segregation is segregation. whether by law, custom, or by fear", the NAACP lawyer said.

A. Philip Randolph, vice president of the AFL - CIO also spoke on the program.



THURGOOD MARSHALL

MARSHALL received a standing ovation from more than a thousand at Woolsey Hall.

As he spoke here, the Rev. Martin Luther King delivered a sermon on white indifference to race problems at the Princeton University Chapel. Some 3,500 persons attended.

"Some of our white brothers are too concerned about perpetuating their preferred economic position and their way of life," the Rev. Mr. King said.

"If they would add a concern for their fellow man as well as for themselves, we would all be better off."

* * *

IN HIS address at Yale



A. PHILIP RANDOLPH

Marshall cited four areas where racial segregation is acute in the north — Housing, education jobs and places of public accommodation such as motels and restaurants.

Housing is the worst, he said.

The swelling colored population of northern cities can't fit into public housing projects. Private projects generally ban colored persons through un-official agreements. As a result, the colored citizen finds himself forced into a kind of colored ghetto.

Marshall said the answer probably lies in laws forbidding segregation in private housing segregation in private housing projects. Some states are considering such laws, he said.

"The state must lead," he declared.

The number two problem is segregation in education. Most colored pupils in the North find themselves in all - colored schools. School districts are frequently gerrymandered to keep them there. And the all-colored schools are almost invariably inferior in equipment and teaching to comparable schools in white neighborhoods.

"Psychiatrists say the damage to colored children's minds from the segregation is permanent," he said.

The number three problem is jobs. Union policies may be one thing, Marshall said, but their practices are often another.

Colored youngsters suffer from the fear they just can't get certain jobs. Therefore, they wonder why they should bother to train for these jobs.

The fourth most important area of discrimination in the North is places of public accommodation.

Marshall said the North must set a pattern of non - segregated life if it is to convince the South it must change.

$40,000 is set aside for defense

The Afro-Am. Baltimore, Md
Apt. 3-26-60

(See RELATED STORY, Page 1)

WASHINGTON

"We're going to appeal every fine."

With these words, Thurgood Marshall, director of the NAACP Legal Defense and Education Fund, put the weight of his organization solidly behind the students demonstrating against lunch-counter segregation. Of them he said:

"Those boys and girls didn't check the law when they sat down on those stools. Now we're going to have to check the law. Our job is to find out what the federal right is —and then how to apply it."

He expressed admiration for the sitdowners and said, "What they are doing is legal and right."

Mr. Marshall was in Washington to lead a two - day meet of over 50 southern lawyers who are, or may be, concerned with legal action growing out of the sitdown movement.

Already, the NAACP has set into motion its painstaking, detailed investigation of the legal basis for the elimination of lunch counter segregation and the overthrow of laws designed to prevent them.

The NAACP legal staff had written to lawyers, universities and other authorities to get opinions on the basic legal questions. Replies to the queries were studied at the weekend meet.

* * *

NAACP EXECUTIVE secretary Roy Wilkins, on the day before the meeting, called for a Southwide boycott of the chain stores that have segregated lunch counters.

He listed them as Woolworth, Kresge, Kress and Grant variety store chains. He also specified the Thalhimer Department Store in Richmond where 34 Virginia Union University students were arrested.

During the week, President Eisenhower endorsed the sitdown movement saying he was "deeply sympathetic with the efforts of any group to enjoy the rights, the rights of equality that they are guaranteed by the Constitution."

He continued: "If a person is expressing such an aspiration as this in a perfectly legal way, then, I don't see any reason why he should not do it."

Asked if the federal government had a role in the matter, he replied: "My own understanding is that when an establishment belongs to the public, opened under public charter... that equal rights are involved..."

* * *

DESPITE THE President's statement, heavy - handed southern lawmen and lawmakers continued to make war on the student demonstrators.

In Tallahassee, Fla., eight students defied police opposition by refusing to accept fines for their part in sitdowns.

They decided to spend 60 days in jail rather than pay $300 fines. Three others defendants paid the fines and were freed.

In jail until May 18 are: Henry M. Steele, son of the Rev. C. K. Steele of Tallahassee and the only high schooi student in jail; Miss Angelina Nance, Greenwood, S.C.; Miss Barbara Broxton, Wabasso, Fla.; Misses Patricia and Priscilla Stephens, Belle Glade;

Also: John Broxton, Wabasso; Clement Carney, Deland, N.J., and William Larkin, West Palm Beach.

THE DEFENDANTS released were Charles K. Steele Jr., Mrs. Mary Ola Gaines and Merritt Spaulding. All of the 11 persons arrested except Mrs. Gaines and the two Steele boys are students at Florida A. and M. University.

Trials have been postponed indefinitely for 35 students arrested last Monday in Tallahassee. This time, the Florida A. and M. students were joined by white students from Florida State College.

White students were released shortly after their arrest without being charged. Their attorneys are Simon Tobias of Miami and Len Holt of Norfolk, Va.

Students at Florida A. and M. have organized, according to one source, and are prepared to stage further demonstrations despite police opposition. A spokesman said they are prepared to go to jail, if necessary.

ON SATURDAY, downtown Tallahassee was tense as it awaited an expected demonstration — such as had occurred the past several Saturdays. White men roamed streets only partially concealing weapons in brown paper bags.

However, no demonstration was scheduled and the crowd gradually dispersed.

After a heated discussion on whether to join the sitdown movement, Tallahassee ministers decided against it. Instead, they issued a mild statment supporting the aims of the demonstrating students.

The jailed students meanwhile are keeping a daily log of events as they await their May 18 release.

The student council of Florida A. and M. issued a statement censuring the police department for using 20 tear gas bombs to turn back some 650 college students staging a demonstration march last Saturday.

* * *

ORANGEBURG, S.C.—Fifteen S. C. State-Claflin college students were convicted on breach of peace charges late Saturday, and given $50 fines or 30 days in prison each by Magistrate D. Marchant Culler. Attorneys noted appeals and arranged $100 bonds for each.

A six-man magistrate's jury which included one colored member, found the 15 guilty after 20 minutes of deliberating. The students were the first of 388 arrested Tuesday in mass protests against eating counters in Orangeburg. Those convicted were:

James P. Davis, 17, Ridge Springs; Annie Lee Johnson, 21, Rockville; Willie Mattison, 21, Williamston; Willie L. Brow, 20, Woodruff; Betty Dubard, 18, Columbia; J. T. Watson, 21, Conway; James Watson, 20, Conway; Joe Long, 20, Conway; James Keno, 18, Welford; Leroy Hilton, 18, North Charleston; Kenneth Hilton, 18, North Charleston; Sewell Clemson, 19, Georgetown; Willie Grate, 25, Planterville; Charles Guess, 20, Eastover; and Irene Brown, 20, Milto, N.Y.

Attorneys for the students are Lincoln C. Jenkins, Columbia; Matthew Perry, Spartanburg; W. Newton Pou, Orangeburg; W. W. Bennett, Florence. and Cleveland Stevens, Conway.

* * *

IN ROCK HILL, S.C., trial for 70 student demonstrators was postponed until Thursday, March 24. The students, charged with breach of the peace and unlawful trespass, are free on bond of $17 each.

In Atlanta, Ga., 17 of 77 students arrested were bound over to Fulton County Criminal Court by Civil Court

Judge E. A. Wright. The others had been bound over previously.

They were charged with violating a law against trespassing which was recently passed by the state legislature and on violating the state unlawful act and unlawful assembly codes.

Bond for some of the individual students ran as high as $600.

Donald L. Hollowell and A. T. Walden, defense attorneys, were instrumental in getting local colored business men and leaders to put up the necessary bond.

In the preliminary hearings, they drew from the restaurant managers the admission that they refused service to the students because they were colored.

* * *

IN NEW BERN, N.C., 29 students at the city"s segregated high school were charged with trespassing when they staged a sitdown at the Kress variety store and Clark's Drug Store.

They are free awaiting trial on Monday on bond of $21 furnished by the chairman of the county NAACP unit.

In Savannah, Ga., three students were arrested as a group of demonstrators attempted sitdowns at Silver's, Woolworth's, Kress and Grants variety stores; Levy's Department Store and Walgreen and Livington drug stores.

The national - chain variety stores closed their counters. The students, arrested at Levy's, were identified as Charles Bailey and Misses Carolyn Quilliand and Jan Tyson, all students at Savannah State College.

Hosea Williams, chairman of the NAACP legal redress committee in Savannah, posted bond for the students. Trial date has not been set.

A little further north, in Baltimore, Md., Morgan State College students staged a series of sitdowns at the Northwood branch of the Hecht Department Store combine. Colored workers of the restaurant staged a walk - out from the dining room, asked: "Are you with us or not?"

One student, John M. Hite, 22, was arrested on a white man's charge that Hite pushed his six-year-old daughter. Store manager Joseph Dashbach, 50, was arrested on the complaint of a Morgan coed. Miss Bernice Evans, 21, East Elmhurst, N.Y., said Daschbach pushed her.

Both men were free on bond of $101.70. Trial will be held Saturday.

* * *

IN HENDERSON, N. C., Judge Sterling G. Gilliam sentenced Robert Roberson, 24, of New York, to 60 days on the road gang. Mr. Roberson was charged with kicking a white delivery man, Eddie Thompson.

The incident allegedly occurred the day after demonstrating students from Kittrell College, where Roberson is a student, were assaulted down town.

The next day, when Thompson came to the campus to make a delivery for the to make a delivery for the grocery company that employs, him, he was allegedly identified as one of the attackers.

* * *

IN LITTLE ROCK, five Philander Smith students were fined $250 and sentenced to 30 days in jail for participating in a sitdown demonstration. Fellow students who witnessed the trial, left the courtroom and immediately marched to the downtown are and staged sitdowns at several department and drug store lunch counters.

In jail are Chester Briggs, 18, Hot Springs; Charles Parker, 22, St. Louis, Mo.; Frank James, 21, Oklahoma City; Eldridge Davis, 19, Malvern, and Vernon Mott, 19, Little Rock.

Despite pressure by city and state officials, truestees of the college at their annual meeting refused to censure the students or advise disciplinary action.

In a public statement, they said:

"The College recognizes... that the students... are also members of society and are entitled to express their individual opinions so long as they act within the framework of the law."

And: "The Trustees approve nor disapprove the students' action and feel that no official action is necessary at the present time."

Little Rock got bad case of the jitters two days later when their were repeated rumors that the students were going to stage another demonstration.

Two state officials called Mrs. Edris Tyer, operator of the cafeteria in the Capitol basement, telling her that students were on their way. State Police Director Herman E. Lindsey allegedly advised her to refuse to serve them.

In a few minutes, 20 uniformed and plain - clothes officers staged a sitdown of their own in an effort to thwart the expected students. None came.

TAKING A CUE from Virginia State College students in Petersburg, several students in Greenville, S.C. staged a sitdown in the public library. Seven were arrested and released on $20 bond.

In Huntsville, Ala., about 15 men staged a protest march in the downtown business district. They carried signs criticizing segregation in the South.

None was arrested. Officials of Alabama A. and M. College here said they knew nothing of the matter or if the men were connected with the college.

Eight students from Florida Normal and Industrial Memorial College were attacked by a mob of white men as they staged a demonstration at the Woolworth store in St. Augustine, Fla.

Police subdued he mob but made no arrests. They sent the students back to the campus in taxis under police escort.

* * *

AT ALABAMA STATE (Teachers) College in Montgomery, enrollment dropped. Nine students here had been expelled after participating in a sitdown at the county courthouse. Later, 34 were arrested.

City and county policemen roughly put down future attempts of the students to stage protest marches or other demonstrations.

Dr. H. Council Trenholm, college president, said enrollment for the spring quarter was about 200 short of what was expected.

In Memphis, Tenn., 12 youths ordered coffee at a downtown variety store. The management closed the place.

In Bluefield, W.Va., ten students from Bluefield State College staged a sitdown at Kresge's variety store; seven others sat down at Woolworth's. The students have also been picketing the three local theaters which are segregated.

* * *

NEW ORLEANS supplemented it trespass law by enacting a law making it a crime not to leave a place when asked. Penalty on conviction is $100 or 90 days in jail.

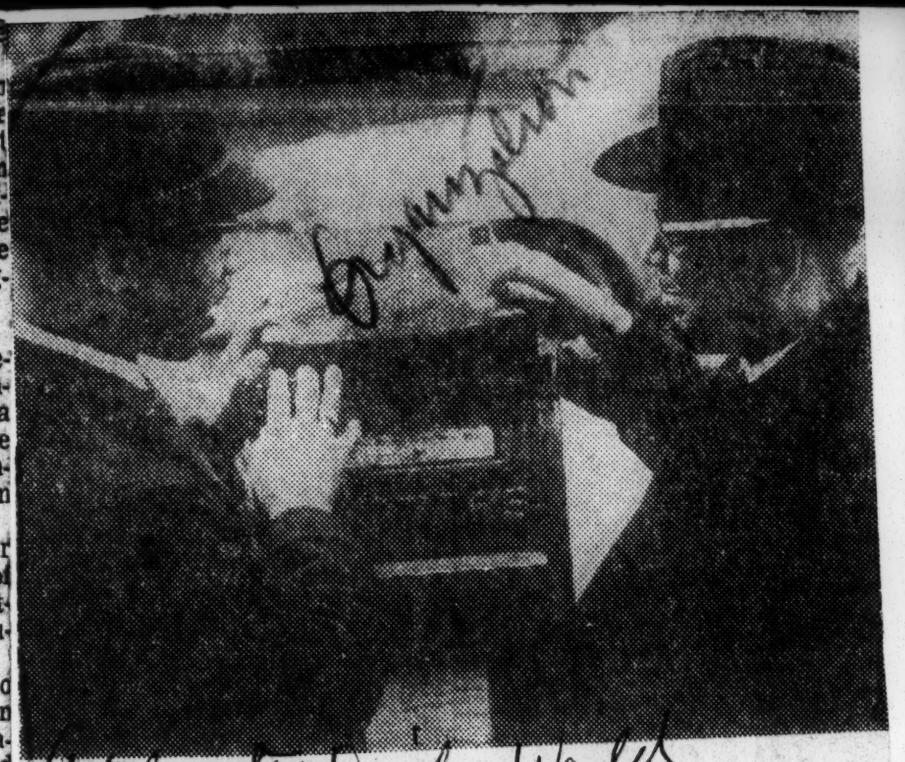
In Atlanta, Gov. Vaudiver ordered an investigation of A. T. Walden, one of two attorneys defending 77 students last week.

The governor seeks to prove that Mr. Walden "stirred up" the demonstrations. If so, he can be tried under the state's barratry laws. Gov. Vandiver also announced that he would throw the full weight of the state police force into the situation if city police did not handle it.

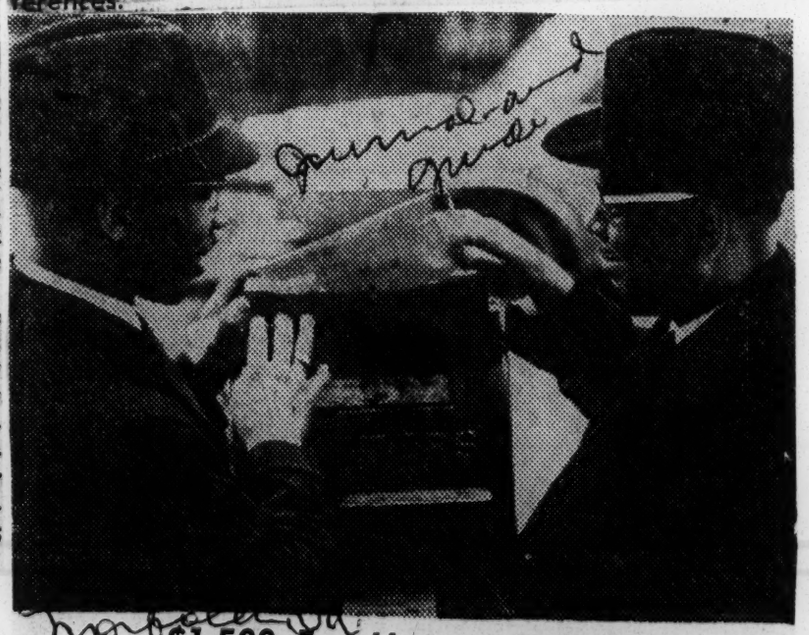
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MEANWHILE, I. DeQuincey Newman, South Carolina field secretary for the NAACP, called on President Eisenhower to "act immediately to have the Department of Justice and the Attorney General join in the defense of the 450 colored students from South Carolina State and Claflin Colleges" who have been arrested.

He said: "America's image as a citadel of liberty has been dealt a serious blow both at home and abroad by the cowardly and bestial actions of the Orangeburg police officers who used tear gas and other Nazi-like tactics to subdue a helpless crowd of colored students."



MAILBOX TO DIGNITY — Check of $1,500.00 for NAACP assistance to southern sit-in demonstrators is mailed to Association's Executive Secretary Roy Wilkins by Presiding Bishop George W. Baber, right, of First Episcopal District, Philadelphia. At left is Rev. George W. P. Collier Jr., member of executive committee of New Jersey NAACP Church Work Committee. Money was raised by New York, New Jersey and New England, AME conferences.



$1,500 For Human Dignity

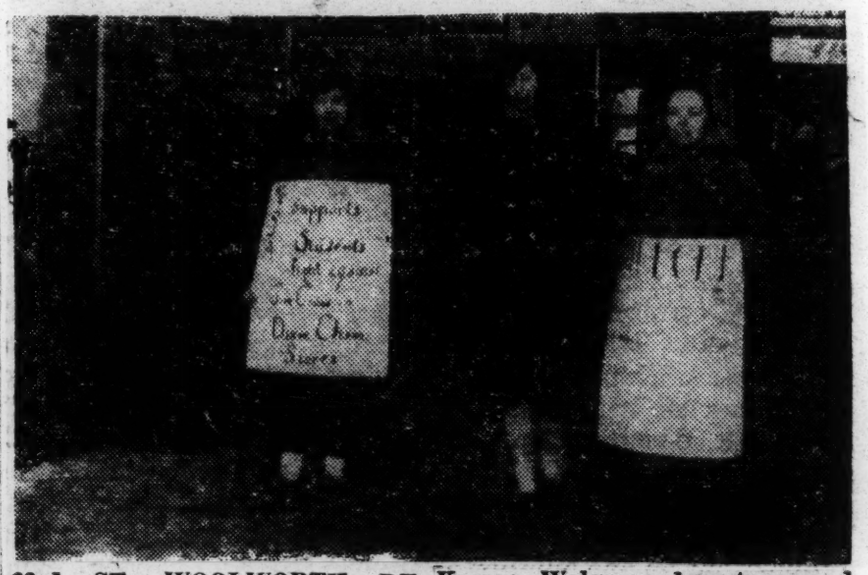
Check of $1,500 for NAACP assistance to southern sit-in demonstrators is mailed to the association's executive secretary, Roy Wilkins, by Bishop George W. Baber, right, of the First Episcopal District, Philadelphia. At left is the Rev. George W. P. Collier Jr., member of executive committee of New Jersey NAACP Church Work Committee. Money was raised by New York, New Jersey and New England AME conferences.

LUNCH COUNTER-SIT DOWN
N A A C P



CAUCUS ON SIT-DOWN PROTESTS.—Southern student sit-in protest leaders confer with N.A.A.C.P. executives in New York City. From left are Lacey Streeter, North Carolina college, Durham; Miss Betty Johnson, Virginia Union university, Richmond; NAACP Executive Secretary Roy Wilkins; and Herbert L. Wright, NAACP youth secretary. Mr. Streeter is president of his NAACP college chapter. Miss Johnson was one of 34 students arrested in Richmond for protest activities. Mr. Wilkins promised students the full support of NAACP.

NAACP Maps Fight On Counter Bias In Embattled Dixie



63rd ST. WOOLWORTH DEPARTMENT store being picketed by University of Chicago students of N.S.A. Student Council in sympathy gesture to thousands of southern Negro college students who are fighting lunchroom counter discrimination in Woolworth, Kresge, Walgreen drugstores and other public places which refuse to serve food to Negro customers. (Beatty Photo).

By DAN BURLEY

Highlighted by the stringing up by the heels and the chain beating of an innocent Negro for 30 minutes by four bestial white men in Houston, Texas, the massive campaign of southern Negro college students to do away with separate eating facilities in Dixie department store lunchroms rolled toward a smashing climax.

In New York, NAACP's ace constitutional lawyer Thurgood Marshall called a March 18 to 20 strategy conference of 35 attorneys who represent members of the farflung student protest movement to analyze constitutional theories that Negro rights are breached by restaurant discrimination.

The unwarranted savagery in which Felton Turner, 27, was mutilated by having the initials, "KKK" carved in his skin, left even the most dichard crackers aghast. Turner, who was taken to Houston's Jefferson Davis hospital for treatment, was walking home in a Negro and white housing area when two masked and armed white me jumped from a car and grabbed him.

He was taken to a wooded area where he was gagged, hung from a tree by his heels and battered with chains. His condition is not serious, physicians said. In Atlanta, Negro students announced in a full page ad headed, "An Appeal For Human Rights," that they intended to join the campaign against all forms of segregation and don't plan to "wait quietly" for equal rights.

Nashville students turned down offers of "token integration" in dime, drug and department store lunch counters. A bi-racial committee appointed by the mayor of Nashville came up with the proposals. At the same time, students from the six Atlanta Negro colleges said: "we plan to use every legal and nonviolent means at our disposal to secure full citizenship rights as members of this great democracy of ours."

Answer To NAACP Boycott

Roy Wilkins, executive secretary to the National Association for the Agitation of Colored People, has ordered a nationwide boycott against all stores which do not permit bumptious Negroes to mingle with whites at soda fountain stools across the South.

The boycott, if successful, could be an unfortunate economic factor in the nation's business life. It could damage business firms which pay heavy taxes. The NAACP boycott could conceivably result in a decrease in Federal income taxes paid into the U. S. Treasury. That being so, there is a counter move the government could consider as an effective method of offsetting this tax loss.

For every dollar lost to the economy and to the U. S. Treasury, the government should reduce the welfare payments to members of the NAACP who collect Federal bounty for spawning illegitimate children in wholesale lots.

The move may not reduce the NAACP's membership from illicit home-swelling but it could, at least, ease the government's financial crisis growing out of the boycott.

We offer this solution to the United States bureaucrats and life-planners in Washington without any fee whatsoever.

Dixie Sitdowns Put Into Focus

Case Before Supreme Court To Have Bearing On South Incidents

By United Press International

WASHINGTON, March 18. — The Supreme Court has before it a case which will have some bearing on the controversy over Negro sitdowns at Southern restaurants and lunch counters.

It involves Bruce Boynton, a Negro student at Howard University here, who was arrested and fined $10 for trespassing when he sought service at a lunch counter in a Richmond, Va., bus terminal.

The case took on added interest in the wake of President Eisenhower's statement at a news conference Wednesday on the lunch counter question. tion. Presidential Press Secre-Presidential Press Secretary James C. Hagerty said Friday the White House would stand on the President's statement.

President's Stand

The President was asked whether he believed "Negroes have guaranteed rights to eat with whites at lunch counters." The President, replying in what appeared to be a broader vein but covering the lunch room situation, said:

"I think that, so far as I know, this matter of the segregation, or types of segregation in the South have been brought time and again before the Supreme Court.

"Now, I certainly am not lawyer enough or wise enough in this area to know when a matter is such as actually to violate the constitutional rights of the Negroes.

"Now, my own understanding is that when an establishment is, belongs to the public, opened under public charter and so on, that equal rights are involved, but I am not sure that this is the case whatsoever."

Pressed By NAACP

The Boynton case is being pressed by the National Association for the Advancement of Colored People. The NAACP lawyers contend that when the private owners of the Richmond lunch counter had Boynton arrested, action by "the state" was involved.

They further argue that state enforcement of segregation is unconstitutional.

Additionally, the NAACP attorneys maintain that segregation cannot be practiced in bus terminals because the terminal is involved in interstate commerce and the court has ruled against segregation on interstate buses.

Last July 16, the Fourth Circuit Court of Appeals ruled against Charles E. Williams, a Government Negro attorney, who was denied service at a Howard Johnson restaurant in Alexandria, Va.

Williams based part of his case on the 1875 Civil Rights Act which holds that all persons are entitled to equal privileges at inns, on public conveyances and at places of amusement.

Case Not Appealed

The appeals court held that the United States Supreme Court had ruled these sections of the 1875 law unconstitutional. It also said Williams failed "to observe the important distinction between activities that are required by the state and those carried out by voluntary choice."

So far as could be learned, this case has not been appealed to the Supreme Court.

Last Jan. 11 the Delaware Supreme Court ruled that privately operated restaurants are not required by law to serve Negroes. The court held that discriminatory action by the restaurant in question did not involved any act by the state.

At Savannah NAACP Branch Meetings:

Air 'Sit-In' Technique as Savannah Selective Buying Starts 26th Week

SAVANNAH, Ga.—The 24th and 25th meetings of the Savannah branch of the NAACP in the selective buying crusade for first-class citizenship were held respectively Aug. 27 and Sept. 3 at the Tremont Temple Baptist Church and First African Baptist Church.

Mrs. Esther Garrison, secretary of the branch, told the Tremont Temple gathering in a provocative speech that she deplored the purchase of merchandise by Negroes on Broughton St. She informed the audience of a statement by the Overton Cosmetic Co., saying that they "were glad that the sit-in movement had curtailed their business."

"If this company can lose money for what it considers to be freedom, then Negroes can stay off Broughton St. for what is imperative to Negroes' freedom," Mrs. Garrison added.

■

AT THE SAME meeting the young people who worshipped at white churches in the "kneel-in" movement were presented. Carrie Orr and James Alexander worshipped at Holy Apostles Episcopal Church. They were received warmly and were invited to fellowship at a coffee hour.

Miss Edna Branch and Clarnce Banks attempted to worship at Epworth Methodist Church and Clarence Banks attemped to worship at Epworth Methodist Church but were not welcomed. They then went to Hull Memorial Presbyterian Church, but were turned away with a threat to call the police. Miss Branch and Mr. Banks then went to the Church of God on Anderson St. and were cordially received and invited to return.

Ernest Robinson and Patricia Quarterman went to worship at St. Paul's Episcopal Church. Although they were late for services, the church official invited them to return next Sunday.

■

HORACE GORDON attempted to enter St. John's Episcopal Church, but his attempts were frustrated. Mr. Gordon then went to Independent Presbyterian Church where he sat in the balcony along with other white parishioners. Mr. Gordon was once again confronted with the need for a "pass" to worship at St. John.

Willie Mungia and Barbara Jackson attempted to worship at Bull Street Baptist Church but were not welcomed. Samuel Parlin went ot Wesley Monumental Methodist Church, however, the church officials said that "Negroes are not allowed here."

Govan King went to Trinity Methodist Church. Mr. King was told that "the church was not integrated." When he asked to see the pastor, the young man was told that the pastor held the same view.

Commenting on the kneel-ins," Rev. Curtis J. Jackson, pastor of First African Baptist Church said: "There are persons who are doubtful of the value of kneel-ins. It is impossible to integrate lunch counters and other areas of American life, morally and socially, without first integrating the churches." He told his audience that "the man who turned the young people away from Monumental Church sits as judge of the City Court and therefore you can't separate church, state and business. It is morally right for Christian brothers to worship together."

■

W. W. LAW, president of the Savannah NAACP, told of the riotings in Jacksonville just because a few Negro youths desired service at lunch counters. Barbara Posey, president of the Oklahoma State NAACP Youth Council, speaker for the hour, told how Oklahoma youth had staged sit-ins to show the need for selective buying in that state's businesses. She said that after negotiating for 18 months, not one place had opened its lunch counter. Returning to sit-in activity, the youth council members of Oklahoma were able to force the merchants to open the lunch counters.

The lesson learned by Oklahoma youths was to "correct their thinking about white people."

USING PICKETS and withdrawal of patronage, the youngsters were able to bring pressure against stores. As a result, 76 stores opened lunch counters.

The Governor of Oklahoma, J. Howard Edmondson, appointed a state-wide inter-racial committee. The state Governor appropriated $10,000 annually to support the committee's work.

Since the August sit-ins, 16 more lunch counters have opened. Although a youth project, the adults staged a boycott of the entire downtown section.

NAACP Defending 2,000 Sit-In Demonstrators

NASHVILLE. — (ANP) — The National Association for the Advancement of Colored People is defending approximately 2,000 students who were arrested in Southern sit-in demonstrations, an NAACP official said last Sunday.

Mrs. Constance Motley said legal precedent for settlement of these cases may be established in a case to be heard this week by the United States Supreme Court.

She said the case involves a Negro student who was arrested and convicted of trespassing for attempting to get served in the white restaurant of a Richmond, Va., bus station while on an interstate trip. The conviction, Mrs. Motley said, "brings up the question of whether or not the state can enforce a private restaurant's discrimination—and if so, is the state in violation of the 14th Amendment?"

Are Negroes ready for equality?

Memphis Tenn. Commercial Appeal
Ines. 10-18-60
p. 9

- Do Negroes want "rights" without the responsibilities that go with them?
- What are Negro leaders doing to cut down on the high crime rate among their people?
- Does the press exaggerate the statistics on Negro crime?
- Has the time come for "plain talk" by Negro leaders —and less pussyfooting?

Read the answers in "Are Negroes Ready for Equality?" – in this week's Saturday Evening Post.

LODGE: the man who fooled the pros!

- What's the story behind his amazing comeback? (In 1952, he was politically "dead.")
- Why do experts say he creates more voter enthusiasm than either Nixon or Kennedy?
- Why does he hate to "play politics"—even for stakes as high as the Vice-Presidency?

Don't miss "The Evolution of Cabot Lodge."

Meet the Democrats' "Golden Girl"! She's blonde, beautiful Marietta Tree – and her New York mansion is a rendezvous for Democratic bigwigs from all over the U.S. Read "The Democrats' Golden Girl."

U.S.C.'s Fearsome Twins – Identical twins Mike and Marlin McKeever are double dynamite on the gridiron – and off! Read "Tough Twins at U.S.C."

And don't miss the dramatic Nargus-Post Spectacular advertising section . . . led off by an exciting Kelvinator prize contest for you.

Keep Posted—read The Saturday Evening Post. Get your copy today!

No Moral Salvation In Segregation; Dr. Jackson

Chicago Defender Chicago, Ill.
11-(19-25)-60

LITTLE ROCK, Ark. — "There is no degree of social salvation in segregation and no moral deliverance in discrimination," Dr. J. H. Jackson of Chicago told 2,000 teachers of the Arkansas Teachers Association at Horace Mann High school recently.

In his speech, Dr. Jackson who claims the presidency of the National Baptist Convention, USA, Inc., and pastor of Olivet Baptist church outlined three steps by which America can be save. They are:

"First, by using money wisely for the development of men and society. Second, by unquestionable loyalty to the American ideal of freedom. Third by helping to secure a peace that will spare the nations the bloody conflict of an atomic war.

NEGRO'S ROLE

Dr. Jackson broke down even further the role the Negro should play in the struggle to save America. He stated; "First, Negroes must continue to be first class citizens, irrespective of what others may think of them or do against them.

"Who is a first class citizen you may ask. I answer, he who gives the best in thought, in character, in attitudes and in his partriotic duty, which includes living and if need be, dying for America."

The noted minister said, "We need not and must not unit until we are fully appreciated as first class before we become such from within . . . Inferior treatment by others must not drive us to think inferior thoughts and to live inferior lives and to become second class or inferior citizens.

ACQUIRED RIGHTS

Dr. Jackson admonished his audience to take their acquired racial rights and convert them into a powerful racial might and use it to help the nation's cause.

"While we have the ballot let us use it as a might power for political influence for the good of America," Dr. Jackson continued.

"Let us use our economic might in the form of savings and loan associations, banks and other financial institutions. For a nation of free enterprise, no people can take their rightful place who do not control a portion of the financial life of the country," the doctor stated.

CONSTRUCTION MIGHT

"We must do more than contend for additional rights . . . we must now convert all of our rights into weapons of creative and constructive might."

The minister told his audience, "We must move into new fields and become so productive that the future relationship between white and colored citizens will be more and more than between owners and owners. . ."

"In the light of this position, and in the light of the growth that has been made in race relations during the past six years, we must select the methods of protest which are the most productive and are the most constructive.

Between The Headlines

Journal & Guide

Negroes Must Help Meet Integration Challenge

Norfolk Va.
Sat. 11-19-60
38a General

By GORDON B. HANCOCK

IT IS JUST as well for us all to remember that the difference between desegregation and integration is still with us, and will be for time to come. Just as the Emancipation Proclamation did not settle the color question, neither will Supreme Court decisions on segregation settle the question in full, for there is still a great difference between desegregation and integration that must be resolved before the curse of second rate citizenship is lifted from the struggling Negroes in this country and elsewhere. Desegregation is a matter of law and integration is a matter of morals. The law merely serves as a groundwork for moral achievement and full integration will be one of the supreme achievements of history. The Negro himself must play an important part in that moral achievement that will result in full integration. Negroes must give stricter heed to the matter of the ballot, for nobody wants to integrate political ciphers. Negroes are not nearly as vote-conscious as they need to be. Negro leadership has been remiss in quickening within the race a vote consciousness that comports with full integration. Help thyself by voting for political advantage, must be a maxim that Negroes everywhere observe.



DR. HANCOCK

Must Learn To Save

Then Negroes must learn to save as an act toward economic security. Nobody wants to integrate a pauper. Those with dollars—"Double Duty Dollars" if you please—will be integrated first. Dollars are highly integrative and everywhere! The Negro's hard labour will not avail unless he learns to make a sacrifice of today's pleasures in behalf of tomorrow's security. Behind every great fortune somewhere there lies the fact of saving.

If home owning took greater precedence of automobile owning, the foundations would be laid for a greater economic security. Our people must remember that great saving will precede integration and not follow it. It should be remembered that we cannot spend our way into integration, but we can save our way into it. There is the matter of self control which must precede full integration. Loud and boisterous behaviour, public and private, must be overcome.

Good Behavior Needed

Our churches and our schools must teach Negroes comely behaviour for nobody wants to integrate the uncouth and the rowdy. The slaughter of Negroes by Negroes is something fearful and that whites slaughter whites does not mend matters It so happens that it is the Negroes who are demanding integration and therefor the burden of comely behaviour lies heaviest upon Negroes. The white man can get away with his sins, but Negroes cannot.

Socrates urged upon men to know themselves; the Stoics urged that men would control themselves while Jesus Christ taught men to deny themselves. Negroes must follow all these precepts if they would hasten the day of full integration. Desegregation is a matter of law, integration is a matter of morals and this means the morals of Negroes and whites.

Negroes are only responsible for the morals of Negroes for the most part although the morals of the Negro are in large part the responsibility of whites. This article is not emphasizing the white man's responsibility in the premise but the Negro's.

We are here urging Negroes to get their house in order if they would hasten the great day of full integration. We must not think the victory won nor lay our armor down when Supreme Courts hand down decisions for desegregation.

There still lies ahead the great challenge of integration in which Negroes can play such tremendous part by their voting, their saving and their self-control.

Flemming urges fight on injustice

The Afro-Am
Baltimore Md.
Sat. 11-19-60

By CLIFF MACKAY
Editor, AFRO-AMERICAN Newspapers

DURHAM, N. C. —"We need to produce citizens who will work for the elimination of discriminatory practices, not in the next generation but in this."

So declared Arthur S. Flemming, secretary of Health, Education and Welfare, in outlining the challenge of urgency facing the modern college in stressing the "pursuit of excellence."

His was the first endorsement of the nationwide student sitdown movement to come from an official of the Eisenhower Administration since the demonstration began last February at A. and T. College, Greensboro.

General

MR. FLEMMING, who was awarded the honorary doctor of humane letters degree, appeared as the principal speaker Thursday during the three-day Golden Anniversary observance at N. C. College.

"We need to produce citizens who will protest discriminatory practices in any walk of life, who recognize such as an unconstitutional denial of freedom," he said.

"We need citizens," he continued, "how will recognize the right of fellow citizens to engage in peaceful protests against what they feel is a denial of their basic rights. Such demonstrations as we have seen over the past year have aroused the conscience of America.

"We need citizens, and there are many of them throughout the country, who will agree with Governor Collins of Florida who said it is morally wrong to open one part of a store to people while denying them the right to trade in another part of that same store."

* * *

MAKING A DIRECT reference to Louisiana, Mr. Flemming asserted: "We need citizens who will recognize that you cannot deal with a social problem such as illigitimacy by trying to penalize defenseless children such as the State of Louisiana is now attempting to do."

The sitdown movement also drew the attention of N. C. College President Alfonso Elder, who spoke at the 50th anniversary luncheon Friday.

He expressed hope that the growing number of students who are dissatisfied with the gradualist approach to effecting social change, would show the same urgency toward achieving academic excellence.

38a General

Dr. Elder also had a word for college adminstrators and teachers concerned about their declining status among students.

He warned that "too many teachers are placing more emphasis on bringing about social change than on the academic subjects they are being paid to teach."

"Educators," he said, "should stick to education."

"Teachers can regain their lost status," he insisted, "by helping guide and channel activities of students into the earlier and accepted techniques for change when these techniques are clearly more suitable to use for the situation."

He named these "earlier techniques" as criticism, gradual persuasion, legal action and prayer.

The convocation speaker, Dr. John Hope Franklin of Brooklyn College, warned that "colleges worthy of their names must never be ivory towers."

"Teachers and students," he said, "must have an interest in current problems of society — they must be concerned and be prepared to play a role in the areas of housing, labor conditions, race relations and politics."

"If the young men and women who pass through these doors catch something of the spirit of public responsibility," he declared, "and combine it with the power than knowledge gives them, these and other problems can be faced intelligently and a significant beginning toward their solution can be made."

Honorary doctor of laws degrees were awarded Asa G. Spaulding, president of the N. C. Mutual Life Insurance Co., and Badom T. Haynes, chairman, N. C. College board of trustees.

Dr. Helen G. Edmonds served as executive director of the anniversary observance. Approximately 100 colleges and universities and honor and learned societies were represented by delegates.

South Has Failed On Racism—Collins

CHICAGO (UPI) — Gov. LeRoy Collins blamed Southern political leaders Friday for "setting the stage for conflict and disorder" in the South's racial crisis.

These leaders, Collins said in a scalding speech before a Chicago luncheon club, "have failed miserably" in meeting racial problems.

Instead of encouraging Southerners to be reasonable and patient, "they have allowed the South to search agonizingly among the hot coals of defiance and in the ashes of bitterness," he said.

"They have encouraged the erection of barriers to communication between men of good will of all races, thus inevitably setting the stage for conflict and disorder."

The Florida governor did not mention any names. But he said "senators, congressmen, governors and mayors" too often have been concerned with how they made out on election day instead of what was good for the people.

"They have not been brave," he said.

Collins said this "failure to lead" by politicans has kept the South from reaching the high levels of living conditions and national influence that it deserves.

He told the Chicago Executives Club, however, that he personally is not pessimistic about the South's future.

"It is out of failures and even great desire that great leadership will arise," Collins said.

The people, he added, will begin demanding more and better leadership from politicians who have the future of the nation at heart instead of their own fate.

"The South will not be content to rely for its primary strength in the nation's political counsels upon how long its congressmen have been in office," he declared.

Collins said he had no doubt that Southerners will respond to a leader who can bring out the best in them.

In addition to attacking Southern handling of racial problems, Collins touched on national leadership which he said has been inept or missing altogether.

"We have been largely a generation of followers," Collins said, "in the main, followers of the paths of least resistance."

When the South rises to meet its current crisis, it will give the nation leaders who can lead the United States again to its "proper position" as world leader, he said.

PREJUDICE IN NORTH

A.B.C. Program to View Race Discrimination

By EDMOND J. BARTNETT

IN recent years television has been coming up with occasional documentaries that show the effects of discrimination in the South. Rarely, however, has the subject of discrimination in the North been touched upon.

One of TV's most ambitious evening hour public service projects shortly will be launched with this very subject in mind. The theme is that many northern cities, although decrying discrimination, are practicing it in many ways. The project will consist of fifteen documentaries on topical subjects of immediate interest to most American viewers.

The series will begin on Tuesday, Sept. 27, when the American Broadcasting Company will show the hour-long "Cast the First Stone" locally at 9 P.M. John Daly, A.B.C. vice president in charge of news, special events and public affairs, is narrating the production.

"Cast the First Stone" has been filmed principally in Chicago, New York and Los Angeles, with side trips to South Dakota and Nebraska.

Content

The anti-discrimination documentary is the kick-off show for "Bell and Howell Closeup," named for the company that is sponsoring it. According to its producer, Walter Peters, it not only will present the pessimistic side of the picture but also will show many areas where progress has been made, and is expected to be made in stamping out racial prejudice.

Three of Mr. Peters' camera crews shot 45,000 feet of film over a five-week period, material that will be cut down to 1,700 or 1,800 feet of film before it is televized. They interviewed hundreds of persons to get views from prejudiced persons, those being discriminated against and those who, in official capacities, are working to eliminate the problem.

Asked if the program might offend TV viewers in the South, Mr. Peters said he didn't think so.

"On the other hand," he said, "it might offend prejudiced persons from any part of the country. We think many of this type, instead of being offended, might merely feel ashamed when they see the sincerity of the persons they have been discriminating against. At least, we hope so."

Variety

"All sorts of reactions will be shown," Mr. Peters said. "We asked a number of persons how they felt when they were refused service in a restaurant. Some of them gave violent answers. Others just laughed at the situation and somehow made the problem seem quite ridiculous."

Over-all, Mr. Peters was impressed with the number of persons working actively with the problem of discrimination who are very optimistic that it is fast disappearing in the North. He cited the increasing number of Northern universities and police departments that have been offering courses in human relations.

"An official of the National Urban League in Chicago, although he was not happy about much of the prejudice that still exists there, assured us that the picture would be entirely different in another ten years," Mr. Peters said. "He also said he could hardly remember the last time someone called him 'nigger.'"

An interview with another Negro leader showed another side of the story. He admitted that, although he tried to think he harbored no discriminations, in reality he was prejudiced against the Polish people. He traced this back to the days when Polish groups in Detroit and Buffalo were active in preventing Negroes from moving into new public housing and Polish neighborhoods.

Origin

This same Negro leader admitted that there was prejudice among Negroes themselves, although he said it had been fast dying out in recent years. This prejudice, he said, stemmed back to slave days when light-skinned plantation servants looked down on the dark-skinned field hands who hadn't had the so-called biological advantage of living closely with their white masters.

Mr. Peters, a correspondent for Yank magazine in World War II, was a news editor for A. B. C. for eight years. He became a producer two years ago and has been in charge of such special projects as President Eisenhower's tour of Europe and the East, Premier Khrushchev's visit to the United States, and "Listening Post East," a report from Hong Kong on Red China.

The second entry in the project will be "The Money Raiser," a documentary on the charity collections business, covering both the legitimate fund raisers and the unscrupulous promoters and racketeers.

If unheld—

U. S. ruling may slow integration

BY THE ASSOCIATED PRESS

A federal judge in Little Rock, Ark., has issued a ruling which could slow down school desegregation in the South if it is upheld by higher courts.

U. S. District Judge John E. Miller said, in effect, that Negroes must file individual suits rather than class actions in any future school integration matters.

THIS WOULD MAKE it impossible for a number of Negroes to join in a single suit aimed at compelling a school board to assign them to schools for white persons.

The judge said Friday the Little Rock School Board was using the Arkansas Pupil Placement Law fairly in refusing to shift 14 Negro pupils from all-Negro Horace Mann High to predominantly white Central Hall or Technical High.

The Negroes filed their protest against the school board's handling of the placement law as a "class action" on behalf of the class or group they represented.

Wiley Branton, Negro attorney for the plaintiffs, said "I don't think there's any question but that we'll have to appeal the order."

THE SCHOOL BOARD already has assigned 13 Negroes to once-white Central and Hall High Schools for the Fall term beginning Tuesday. The assignments were made under the placement law.

The Little Rock ruling came on the same day arrangements were made to provide a separate high school for Indians at Lillington, N. C., while school doors still were closed for 24 Negro pupils in Royal Oak Township near Detroit who want to start high school next week.

At Gaffney, S. C., a Georgia-born Negro motorist was shot and wounded by a group of white men when he stopped to ask highway directions. The men were not captured. Sheriff Julian B. Wright, said "There wasn't any racial angle about it."

The motorist, Robert Lee Shirley, 25, was on vacation from his job at the Veterans Hospital in Long Beach, Calif. He was traveling from Gainesville, Ga., to Norfolk, Va., to visit a sister.

IN NEW YORK, the National Assn. for the Advancement of Colored People sent a telegram to President Eisenhower calling on him to implement the Republican Party's civil right platform with action on the executive level.

The telegram, sent by executive secertary Roy Wilkins, also suggested the Executive Department could instruct the Department of Justice to act to prevent violation of civil rights in Jacksonville, Fla. It said "Negro citizens have been victims within the past week of violent attacks . . ."

Jacksonville itself was relatively quiet after a week of disturbances sparked by Negro lunch counter demonstrations. One Negro was killed, one white youth stabbed and many persons less seriously hurt during the racial outbreak.

At Salisbury, N. C., three young men were sentenced to eight months each on charges of burning a cross on the campus of a Negro college. In Milwaukee, Wis., the initials of the segregationist Ku Klux Klan were found drawn on the sidewalk outside the home of a Negro doctor attempting to enroll his daughter in a from drug store sit-in demonstrations.

Twelve Negroes were given 60-day sentences at Hopewell, Va.,

School Opening Nears: Race Tension Flares

Racial tension and incidents of violence appeared to be on the upsurge again in the South Monday with the opening of public schools for the fall term only a few days away.

Emergency police patrols covered the city of Jacksonville, Fla., after an outbreak of name calling, hair pulling, pushing and shoving between whites and Negroes at five downtown stores.

A white minister in Mississippi, who refused to halt plans for building a small college for Negroes, hid out Monday at a hospital in Meridian, Miss., under police guard. He said he was beaten and kicked by a mob of about 20 white men, but police denied any knowledge of the affair.

ARMED GUARDS

Officials at Clinton, Tenn., said a full-time armed guard has been hired to patrol the new $25,000 Clinton high school where 14 Negroes are among the 925 pupils. The Clinton high school was destroyed by dynamite when integration began in 1958, and rewards for information about the bombers now total $60,700.

But in Houston, Tex., school Supt. John McRarland announced that classes in the city's independent district, the nation's largest segregated section, would integrate its first-grade classes Sept. 7.

McFarland's statement followed refusal by the Fifth Circuit Court of Appeals in New Orleans to accept the Houston School Board's request to delay a federal court integration order until an appeal can be decided.

HOUSTON INTEGRATION

If the Houston school district integrates, it may lose about $6 million in state aid because a state law prohibits desegregation without approval of the voters. Recently Texas voters rejected integration by a large margin.

The Jacksonville trouble began when Negroes began picketing stores stayed upon late for big August sales. A Negro woman and a white woman engaged in a hair pulling scuffle, two white women were pushed to the sidewalk, a window in an F. W. Woodworth store was broken by the crowd. Carloads of city and county police dispersed the crowds and arrested at least nine Negroes.

Two of those arrested were held and the others released. One of them, Herbert Green, 18, was charged with assault with intent to murder after allegedly pulling a knife.

At Meridian, the Rev. J. H. Germany, a missionary of the Church of God of Anderson, Ind. was hospitalized with cuts and bruises. He said he was beaten by a mob of white men while he and four Negroes were loading bricks to be used in construction of a small college for Negroes near Union, Miss.

Dr. D. T. Amacker said Germany's lawyer arranged police protection, but local police said they had no officers on the assignment

About 1,000 white residents of the Union area held a protest meeting last Saturday and adopted a resolution charging that Germany was building the school to stir up racial strife in hopes it would bring publicity that would result in financial donations.

Union Police Chief George Smith said he knew nothing about the beating. The man identified by Germany as the ringleader also denied any knowledge of the incident but added that "somebody down at the barbershop told me this afternoon that a brick wall fell on Germany."

RACE DEVELOPMENT

There have been new racial developments in every southern state except North Carolina:

Virginia—An NAACP leader said the organization will back up charges that the Newport News Shipbuilding and Dry Dock Co., discriminates against Negro workers. A Negro student at Norview high school in Norfolk, recently integrated, began trying out for the school's football team. A circuit judge at Covington threw out part of the state's "freedom of choice" school plan dealing with sale of school property.

Louisiana — Louisiana Atty. Gen. Jack Gremillion walked out of a hearing before the Fifth Circuit Court of Appeals during one suit to keep New Orleans schools open despite integration and another to delay integration for a year.

Alabama — Federal District Judge Frank Johnson denied a motion by six Negro anti-segregation demonstrators for reinstatement to Alabama State College. The six were among nine Negroes expelled as ringleaders in lunch counters picketing.

Tennessee—Two white teenagers, Elizabeth Burg, 17, Jackson, Miss., and John Jefferson Poland, 18, Panama City, Fla., sought service at a Negro lunch counter in Memphis and were refused. They professed sympathy for Negro drives against segregation.

Another white youth, Jim Tim Parsons, 19, Bethel Park, Pa., was bound over to the state on charges of taking part in a Negro demonstration. At Knoxville, Federal Judge Robert Taylor issued a formal order making Knoxville's grade-a-year school desegregation plan official.

Florida — A second Roman Catholic high school in Miami announced it will accept a Negro girl next month. The national director and 17 members of the Congress of Racial Equality (CORE) were sentenced to a year on probation for staging a sit-in demonstration.

Georgie — The Rev. Albert Huntington Hatch, Episcopal vicar at Savannah, endorced Negro "kneel-in" campaigns at white Savannah churches.

Professor To Attend Danforth Conference

GREENSBORO, N. C. — A professor at A & T. college will attend the 1960 Danforth Foundation Associates Conference at Camp Minawanca, Mich., Aug. 29-Sept. 4.

Rev. Cleo M. McCoy, director of religious activities at the college and a Danforth Associate, will attend the meet to be conducted on the theme, "Spiritual and Educational Explorations in Creative Teaching." Rev. McCoy will conduct devotions at one of the sessions.

Combating Discrimination

Mr. Nixon's Remarks in Hawaii and Committee Record Contrasted

The writer of the following letter is Associate Professor in Law and lecturer in industrial relations at the University of Buffalo.

TO THE EDITOR OF THE NEW YORK TIMES:

In his columns of July 31 and Aug. 3, James Reston discussed the two major Presidential candidates.

In recalling that neither of these men is burning with "ideological zeal" and that each is in truth an "organization man," Mr. Reston concludes that the two conventions gave us "probably what we needed."

Presumably what Mr. Reston means is that cool analysis, efficient hard work, and political skill (to use his words) is sufficient to save the Republic. While we have in fact turned our profit-making corporations and the fund-raising functions of our universities over to the managerial clique, the "ideals" (with or without the epithetical "zeal") of our country have not properly included the accumulation of large sums of money.

Power of Ideals

I should think that the common traits attributed to Messrs. Kennedy and Nixon, although highly welcome in light of the Harding-Coolidge-Eisenhower image, are the barest minimum we can expect in a President. Necessarily it must be on the basis of the "ideals" espoused by each candidate, even the "zeal" with which they are espoused, that each candidate and his party must be scrutinized and judged.

Turning, then, to "ideals," one might profitably turn Mr. Reston's "Uniquack" on Mr. Nixon's Hawaiian campaign remarks.

Mr. Nixon is reported in The Times to have stated that racial prejudice "is the greatest problem confronting us." Accepting Mr. Reston's general observation that we cannot blame Mr. Nixon for everything that occurred in Washington in the last seven years, nevertheless we can isolate at least one area in which the Vice President was in an admirable position to exercise both leadership and influence against racial prejudice.

As chairman of the President's Committee on Government Contracts under Executive Order 10557, he was in a unique position to affect racial prejudice by denying Government contracts to those employers who discriminated in employment. Mr. Nixon's committee has created a history of permissiveness and nonaction.

Regulations Avoided

Not only have Government contractors been permitted easily to avoid the nondiscrimination regulations, but the committee has failed to and refused to hear complaints on discrimination—many of these complaints having been on file for four years with no action taken. There do not seem to have been any instances where Government contracts were denied or terminated due to discrimination in employment, nor does it appear that the committee ever attempted to exercise a subpoena and hearing power. If Mr. Nixon has ever attempted to get his committee's power implemented by Executive order, Mr. Nixon has uncharacteristically failed to reveal it over the last several years.

An equal right to work is a foremost "ideal" in our country, where racial prejudice is "the greatest problem confronting us." Mr. Nixon apparently likes to talk about this "ideal" in Hawaii. But neither his "cool analysis, efficient hard work, or political skill" impel him to do anything about it when the opportunity uniquely is afforded.

DAVID R. KOCHERY.

Buffalo, N. Y., Aug. 4, 1960.

Whites Said to Misunderstand Negroes' Priority List of Goals

By LAWRENCE O'KANE

If Southern whites knew what Negroes really want, white resistance to change and racial tension might be lessened, two Southern sociologists said here yesterday.

The view, contained in a study of what the two racial groups believe are the true aspirations of Negroes, was presented yesterday at a session on race relations of the American Sociological Association.

"The difficulty of achieving understanding," it concluded, "is undoubtedly increased by the fact that a large group of whites, the least well educated, think that what the Negro wants are the things that they are least willing to give—greater personal intimacy and school desegregation."

Negroes questioned actually were most eager to see changes in job opportunities. They ranked freedom in relationships involving personal intimacy as least desired.

The study, based on responses of a random sample of adults from both races in a Southern urban community, was made by Dr. Charles M. Grigg and Dr. Lewis M. Killian of Florida State University, Tallahassee. The association is holding a four-day meeting, which ends today, at the Statler-Hilton Hotel.

Whites were asked to rank six possible Negro goals in the order they would resist most and in the order in which they believed Negroes desired them. Negroes were asked to rank the goals in the order in which they would like to see them achieved.

The goals were:

¶The chance to vote without restriction.

¶Freedom to visit in white homes, swim in the same places and eat in the same restaurants.

¶Equal treatment by the police and courts.

¶Equal job opportunities, pay and promotion.

¶An end to public school segregation.

¶An end to segregation in public transportation and sports events.

Negroes, Dr. Killian said, listed their preferences in this order:

¶Job opportunties

¶Legal equality

¶Integration of public transportation and sports events

¶Integration of schools

¶Equality in voting

¶Freedom in personal relations.

Whites, he said, although generally lacking an accurate conception of Negro aspirations, revealed wide differences of opinion on the subject. Those who had gone beyond high school had the most nearly accurate picture of Negro preferences.

"All of this suggests," Dr. Killian continued, "that if amelioration in the position of the Negro minority and reduction of tension in race relations depends on comprehension of the Negroes' viewpoint, then it is the better educated whites who should be able to make the greatest ocntribution."

Whites who had not gone beyond high school (79 per cent of the sample) believed that Negroes wanted school desegregation—hence, "social equality" —most, the sociologist said. But Negroes, he added, who have been concentrating their efforts on school desegregation, actually rank it as fourth among goals.

The answer, Dr. Killian suggested, lies in the problems of collective strategy of the Negro protest movement. "It is easier to bring suit against a school board than to persuade an individual employer to change his hiring practices."

Lauds Israel On Integration

BLUEFIELD, W. Va. — West Virginians have received a suggested rebuttal to Russian Premier Khrushchev's United Nations attack on American race bias.

Gloster B. Current, NAACP director of branches, told a meeting of the organization's state conference that "denying the embarrassing truthfulness of the Russian leader's remarks, or rationalizing the amount or racial progress" is not the answer.

"The answer," Current asserted, "lies in getting on with the business at hand. We must acknowledge our shortcomings as a nation, as states within that nation and as people within these individual states.

"Then we must do everything as responsible American citizens to end segregation and discrimination now — and this includes West Virginia," he continued.

Ashmore sees new southern leadership

CHICAGO — A new South is shaping up in which eventually racial relations will resemble those in the North.

Colored southerners of all classes are on the march and the pace of desegregation is slowly increasing.

That is the way Harry S. Ashmore, Pulitzer - prize winning Southern editor, sizes up the South today.

Ashmore, 44, is former executive editor of the Arkansas Gazette of Little Rock. He now is consultant to the Center for the Study of Democratic Institutions, Santa Barbara, Calif.

* * *

HE WAS interviewed in the University Club while on a visit to Chicago.

"The sit - ins in the South show a genuine grassroots drive," said Ashmore.

"A new colored leadership is emerging. Its symbolic importance is enormous.

"It is clear demonstration that colored persons of all classes are not going to tolerate segregation.

"This does not mean a rapid change, but it does mean a slowly accelerated change, which probably is best for all concerned."

Ashmore predicted that despite changing patterns in this country, colored and white basically would live apart for at least another generation.

Discrimination Problem Spotlighted

By a Staff Correspondent of The Christian Science Monitor

New York

Twenty-seven million persons in the United States still suffer to some extent, from housing discrimination because of race, according to a Fund for the Republic report just issued.

The study, entitled "Residence and Race," estimates that groups still suffering from housing discrimination include 19,000,000 Negroes, Japanese, Chinese, and Filipinos; 2,500,000 Mexican-Americans; 1,000,000 Puerto Ricans; and 5,000,000 Jews.

Chairman of the Commission on Race and Housing was Earl B. Schwulst, president of the Bowery Savings Bank, New York City. It included such other distinguished public figures as Clark Kerr, president of the University of California; Henry R. Luce, editor in chief of Time, Life, and Fortune; Gordon W. Allport, professor of psychology, Harvard University; and Elliott Bell, director of McGraw-Hill Publishing Company. The report, a final volume in a series published by the commission, was written by Davis McEntire, professor of social welfare at the University of California.

10 Guides Listed

Setting forth 10 guides by which individuals and communities may reduce discrimination in housing, the report says:

1. Attack discriminatory conduct rather than attitudes. (It is far easier to change people's action—by law or the pressure of public opinion — than it is to change their attitudes; and their attitudes will change in due course, anyway.)

2. Change the social situation and thereby influence both decisions and attitudes. (Argument, however convincing, is less effective than experience—economic and legal pressure is more effective than attempts at persuasion.)

3. Influence decision makers of housing—builders, mortgage lenders, real-estate brokers, government agencies — rather than whole communities. (The effort can thus be concentrated at the key points and its effects will in time spread out through the general public.)

4. Seek legislation that will give freedom of action to persons who oppose discrimination. (Many people do not really wish to discriminate but feel compelled to do so by the social pressures of friends, neighbors, or relatives.)

5. Mobilize all citizen groups concerned with discrimination to effect changes in law and conduct. (In order to have an effect on long-standing housing patterns, firm organization and dedicated action are needed.)

Presentation Stressed

6. Organize with the understanding that most Americans have no firmly fixed convictions about race and will respond to enlightened leadership. (Though many Americans express racial prejudice, this is often merely what they think is expected of them, and they can often understand a fairer outlook if it is presented to them.)

7. Promote association among members of majority and minority groups who are of comparable economic and social position. Promote the participation of minority people in community affairs to break down their isolation.

8. Create community situations in which members of different racial groups can work together to solve common problems (Such as obtaining better schools.)

9. Expand the supply of housing, especially at lower-price levels, to reduce competition for housing among racial groups. (Competition over areas for dominance by one race or another tends to promote segregation and intensify boundary lines.)

10. Do not confuse problems of racial segregation with problems of socioeconomic segregation. (Mixing neighborhoods by race does not mean mixing them by social class, too. Professional people who are Negroes have more things in common with professional people who are white than with nonprofessional Negroes.)

Demonstrations For Civil Rights Made By Students

WASHINGTON — (UPI)—Democrats clinched control Tuesday night of the Senate in the new 87th Congress.

With either no fight at all or a minimum contest, they wrapped up for six more years Senate seats from Georgia, South Carolina, Arkansas, Mississippi, North Carolina Tennessee, Virginia and Alabama.

With 43 holdover members, this was enough to assure the Democrats at least 51 votes — one more than a majority — when the Senate reconvenes on Jan. 3.

There also was nothing in early returns from contests for the 437 seats in the House to upset advance predictions that Democrats also would control that chamber in the next two years.

However, their margin of control in the House appeared to have been reduced somewhat.

In the 86th Congress they held a 280 to 151 House majority that seemed impossible for the GOP to upset. And they went into Tuesday's election with 72 uncontested seats, against only 2 such for the GOP.

Between The Lines

Old South Fights To Hold Negroes Down While Russian Makes Progress In World Domination

BY DEAN GORDON B. HANCOCK FOR ANP

The rivalry between Rome and Carthage was never keener nor more bitter than that between Washington and Moscow. The ancient rivalry eventuated into the destruction of Carthage and how the current rivalry will eventuate is anybody's guess.

This writer is not impressed with the peaceful co-existence line which serves Russia's purpose very definitely by lulling the world to sleep, while she prepares to take over in due time. Without open warfare nation after nation has gone over to communism and coup after coup has brought Russia nearer to world domination.

There is something radically wrong with the program and procedures of the democracies which find themselves on the defensive the world over, and this is a disturbing fact for those students of world affairs and believe sincerely in the ideals and objectives of democracy.

The reason that Rome overthrew Carthage was Rome's great fortune to have a Cato who looked over the shoulders of his contemporaries and saw that peaceful co-existence was impossible.

Old Cato kept before the Roman senate and the Roman people the idea that Carthage had to be destroyed. Cato would have none of the idea of peaceful co- existence, for it was clear to him as it is to some of us, that two nations cannot dominae the world.

Either Rome had to go or Carthage had to go, and this gly fact Cato the Censor faced courageous y. It looks from here that eiher democracy or communism will have to go. Unless we can contain communism, communism will contain us.

The fight between communism and democracy is a fight unto death, however, reluctant we are to face such ugly fact. With the world in revolution and with Russia winning revolution after revolution she seems to have the advantage of the world situation in a way that alarms the American patriot

Nor is this writer impressed with this country's plan of defense. We make much of the fact that our counter-attack will be devastating. But if we only have what is left after Russia's attack, that may be too litle too late.

This article was inspired by a news item of a few days ago. It made reference to Virginia's Senator Robertson as the "watch- dog" of the Senate. And as such, what was he watching for? Not for the dangers that surround us in our life and death fight against communism; not like ancient Cato was he looking beyond the horizon of his beloved America at some distant foe.

He was watching for any attempt of the Senate to bring to discussion anything that pertained to civil rights. In other words in fighting back any attempt at civil rights legislation, that was his way of fighting back the struggling Negroes of this country.

The hopes of the Negro reside in civil rights legision and in the civil rights feeling which is more important. And so this country can take time out in this critical hour to have in Congress a watchdog who is not watching for Russia and its subtle program to take over the Twentieth-Century world but for the hapless Negro, who is struggling to be free.

The watch-dog idea just goes to pin-point the trouble we are encountering with Russia. With Russia doing bsuiness at our very doors, we have time to have in the Congress of these United States watch-dogs, whose main purpose to eternalize the second rate citizenship of American Negroes.

But unless we have more watchdogs whose business it is to help contain communism in its onward sweep, we as a nation are lost. It is a dangerous thing for the watch-dog to watch the wrong thing.

Negroes do not need watching, but Russia and her communism do. Nations are saved not by their Negroes but by their Catoes.

We have too many Negroes and too few Catoes to cope with Russia. Men like Senator Robertson, representatives of the Old South and living in the Nineteenth Century, will eventually hand over our nation to Russia on a platter.

The only reason Russia does not fight is that it will be unnecessary; for the watch-dogs of the Old South will deliver the goods. Instead of watching Russia they are watching the Negro, who is fighting bravely against the efforts of the Old South to contain him and eternalize his affliction.

Containing communism is not the same as containing the struggling Negro.

Talks to Store Union; Kennedy Indorsed

Dr. King Says Bias Is 'Morally Wrong'

By Joel Seldin

SACKETT LAKE, N. Y., Oct. 8.—The Rev. Martin Luther King, Southern Negro leader, took issue today with the idea that the United States must abolish racial segregation in order to score a point over Soviet Premier Nikita S. Khrushchev or to win the allegiance of the Afro-Asian countries. He said he had heard this argument stated recently by Vice-President Nixon.

Addressing the convention of District 65, Retail, Wholesale and Department Store Union, at the Laurels Country Club, Dr. King said the problem of segregation must be solved "because it is morally wrong."

Dr. King, who heads the Southern Christian Leadership Conference, made no mention of Sen. John F. Kennedy and did not indorse either candidate or party. He noted that both parties had taken strong stands on civil rights in their platforms, with the Democrats "possibly a little stronger," but he called these "huge promissory notes." As in the past, he criticized President Eisenhower for not taking a stronger personal stand in favor of the Negroes' civil rights battle in the South.

Indorse Democrat

Just before Dr. King spoke, however, the convention delegates, after the kind of open debate that is a tradtion in this union, voted overwhelmingly to indorse the Democratic candidates and party. David Livingston, president of District 65, pointed out, however, that it is also possible to vote for the Democratic candidates in the name of the Liberal party.

In the debate, there was no support for Mr. Nixon, but a number of speakers expressed the idea that Sen. Kennedy's involvement with the Landrum-Griffin bill should make him unindorseable by a labor group. One Negro delegate noted that a vote for the Democrats also strengthened the anti - labor anti - integration Southern Democrats who hold key committee leaderships in Congress.

The union's leaders spoke for the indorsement, and expanded in a number of ways the idea that Sen. Kennedy was the preferred choice, but not an ideal candidate. Mr. Livingston denied that labor was surrendering all right to differ with Sen. Kennedy, should he be elected, and pointed out that union leaders had on a number of occasions criticized policies of the late Franklin D. Roosevelt.

In a report which contained the formal motion for the Democratic indorsement, William Michelson, director of organization, summed up his argument with this statement:

"We must ask ourselves the following question — Would we, as members of an American trade union, be better off with the election of a Democratic President in 1960? We think the answer to that is, yes. Labor would, for the first time in eight years, have access to the White House as welcome guests. Above all, it is possible for us to have an influence within the Democratic party and shape its policy. Such a course is absolutely closed to us anywhere in the Republican party."

District 65 is one of the three largest unions in New York City. It has 30,000 active members, and an additional 8,000 former members who maintain an inactive status, at nominal dues, which enables them to continue group health benefits and a number of other union services. The "district," a sort of super-local union, has thirty-seven affiliated locals in such fields as department stores and retail chains, wholesale distribution companies, warehouses, light manufacturing and direct mail services.



Celestine Sibley

Is There a Typical Southerner? What Does He Think of Negroes?

It was one of those after-a-meeting gatherings where we eased our feet and savoured fresh cups of coffee, talking animatedly of this and that. A newcomer to the group, a pretty blue-eyed girl with dark brown hair in a graceful swirl about her shapely head and the mark of an intelligent examiner of people and issues on her piquant face, asked a question which I don't think any of us answered satisfactorily at the time and which I'm still pondering without much success. "Where are the Southerners who feel so strongly against Negroes enjoying the rights the rest of us take for granted?" she asked.

"Where are they?" we asked and two or three of us started to mention the Ku Klux Klan and the White Citizens Council.

She brushed those groups aside impatiently. "I don't mean people who think the Negro race is naturally inferior," she said. "I think anthropologists and other scientists have disproved that. I'm from New England and I'm trying very hard to understand why Southerners feel as they do. I don't want to talk to anybody who has a religious conviction that the Lord intended Negroes to occupy an inferior position. I don't believe that and I don't believe many Southerners believe it. What I'd like is the point of view of an educated Southerner, a person who can explain his conviction in terms I can understand."

Those present offered various things—books to read, such as Cash's "Mind of the South," the point of view of south Georgia relatives who fear being outnumbered in schools and restaurants by their Negro neighbors, the cocktail party announcement of one weary Southerner to the effect that he was comfortable and happy with the old system and would be damned if he'd have it changed.

We suggested to the young woman that the so-called "Southern point of view" is as varied as Southern cooking and Southern weather. I commended to her the piece in last May's Atlantic Monthly by Atlanta's Mrs. Walter Paschall on the subject. The tenor of Eliza Paschall's article was that politicians who claim to voice the opinion of Southerners in their "no-never" speeches on integration do not speak for her. Born in Charleston, S.C., and educated at Agnes Scott College, Mrs. Paschall is pretty Southern and she thinks integration is both legally and morally right—in fact, the only tenable course.

Her point of view, shared by many, is by no means subscribed to by everybody. Neither is the point of view of the bus passenger who will stand up all the way to town, muttering dark imprecations under his breath, rather than sit beside a dark-skinned passenger. To many of us who are reared by and with Negroes, rocked and sung to by Negro nurses, fed by Negro cooks, sitting beside a Negro on the bus is no occasion for unease. To some, I have noted, the idea is downright repugnant.

So where is "the Southern point of view"? I haven't the foggiest idea. If anybody feels he is a "typical Southerner"—whatever that is—able to speak for most of us, I'd be glad to forward his name to the young woman who asked.

WASHINGTON REPORT

South Faces Drastic Changes

Political Re-alignment, Added Rights Pressures Looming, No Matter Who Wins

BY JAMES FREE
News Washington Correspondent

WASHINGTON

NEITHER THE Democratic Party nor the Republican Party will be the same after this year so far as the South is concerned.

And this will be true no matter which party wins the election in November.

Why? Well, the fundamental reason is that both parties have new leaders, strong leaders, who will continue to head their respective parties. In or out of the White House, John F. Kennedy will be active, undisputed boss of the Democrats. If he loses, the senator will still have home base in Washington.

SHOULD VICE PRESIDENT Richard M. Nixon lose, his base of operations as titular head of the Republican Party is NOT known in advance—as is the case with his rival. But Mr. Nixon is a staunch party man, with positive ideas about how the Republican organization should function. Wherever he works from, he will be no figurehead.

Events so far in this presidential campaign make it clear why the South's role in either party is in for drastic changes in the future.

South Now On Notice Of No Rights Concession

FOR A STARTER, the South is on notice from both presidential nominees that it can expect no concessions on civil rights. Both Nixon and Kennedy are polite, but flint firm on this. In 1952 and 1956, the party nominees talked somewhat vaguely of their understanding of local and regional problems: They didn't promise any favors to Dixie, but certainly they didn't serve the blunt warnings of intent to advance the cause of civil rights that have been issued repeatedly by Nixon and Kennedy.

The South's last formidable fortress on the national scene is in the U. S. Senate, where the anti-filibuster rule is still flexible enough to give considerable power to a determined minority. Kennedy and Nixon are on record, in near equal degree, in favor of rewriting the Senate rules to defang the filibuster threat.

South's Only Choice To Adjust To Situation

MR. NIXON no doubt would devote more attention to building up the Republican Party in the South than any of his recent predecessors as head of the GOP have done. This does NOT mean that the tail could wag the dog, however. As on the Democratic side, the South would have to go along with policies and platforms set by the non-Southern majority.

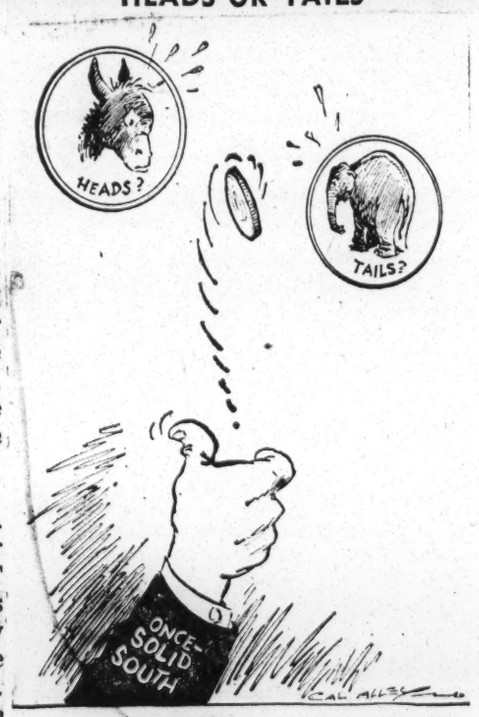
Where Adlai Stevenson has exercised his authority as titular head of the party with a loose rein these past eight years, John Kennedy—win or lose—will insist on tighter control and tougher party discipline.

Neither Kennedy nor Nixon has personal distaste for toe-to-toe partisan slugging, as did their predecessors in 1952 and 1956, quite the contrary. Likewise, both these vigorous party pilots are likely to have less patience with party defectors, with half-hearted party followers, than have party chieftains before them. The lukewarms and the independents will find that Messers Nixon and Kennedy have long memories and are rough customers at the bargaining table.

MUCH OF THIS will be hard going for the South. Especially in the initial months and years under the new party leaders just now taking over. But it won't be all bad. When it is brought home to the Democrats, nationally, that the South cannot be taken for granted, a shift in national attitude may follow. Likewise, when the Republicans discover that the South can be an integral part of their permanent political strength, they may take Southern interests into account as they have seldom done before.

The new party operations may seem strange, and perhaps uncomfortable for a while. But they should offer the individual a more clearcut choice, politically, than has been available. And the South ought to be better off once it gets into the main stream of the American two-party system.

HEADS OR TAILS



—*Alley, Memphis Commercial-Appeal*

38a 1960 GENERAL

President Calls for End of Discrimination

By William J. Eaton

AUGUSTA, Ga., Nov. 12 (UPI)—President Eisenhower issued an appeal from his Deep South vacation retreat today for every American to end discrimination based on race, religion or sex.

In his only official action of the day, the President signed a proclamation designating Dec. 10-17 as Human Rights Week and sounded a new call for United States leadership in promoting equality around the world.

The Chief Executive, secluded since his arrival at the National Golf Club here Wednesday, apparently was taking no interest in the controversy over alleged irregularities in the presidential election.

He outwardly has accepted Sen. John F. Kennedy's triumph and is now committed to helping his youthful successor move into command at the White House next Jan. 20.

Mr. Eisenhower planned to emerge from his vacation hideaway Sunday morning to welcome Mrs. Eisenhower at the airport upon her arrival from Washington.

They will celebrate Mrs. Eisenhower's 64th birthday on Monday. No date has been set for their return to Washington but it seems probable they will spend Thanksgiving here.

The President took advantage of the clear, crisp weather and played golf this afternoon for the fourth consecutive day.

In the proclamation, the President called for renewed efforts to achieve peace and assure equal rights without distinction as to race, sex, language or religion.

"Let each of us examine his conscience, so that we may be more sensitive to the needs and worth of every individual," he said.

Noting that many nations have just obtained their freedom and are self-governing for the first time, the Chief Executive said:

"Let us remember that it is only through free and responsible efforts that humanity can make lasting progress toward the goal of peace with justice.

"Let us direct our actions so as to encourage these efforts in every country by strengthening their foundation in our own."

Boston College Law Dean Offers 3-Point Program For Equality

New York, Nov. 7 — The Rev. Robert F. Drinan, Dean of the Boston College Law School, proposed yesterday a three-point program to achieve "total integration and the total disappearance of all segregation and discrimination."

Father Drinan preached the sermon at what was believed to be the first solemn mass ever offered for the advancement of civil rights in this country.

It was sung at the Roman Catholic Church of St. Francis Xavier, Avenue of the Americas and Sixteenth Street. The mass was celebrated under the sponsorship of the St. Thomas More Society, an organization of professional men and women.

The Jesuit legal expert proposed these steps:

A continuous appeal to state and Federal legislators for more and better anti-discrimination legislation.

Intensive campaigns to inform society and influence public opinion about the inehert equality of all men.

A "crusade of prayer" asking God to "enlighten the minds and inspire the hearts of His children with a love for every man as an image of his Creator."

"No one of these items taken alone will succeed in eliminating discrimination," the priest said. "All three are required—effective laws, sound public opinion and a deep religious faith."

Father Drinan hailed recent progress in civil rights legislation, but was less enthusiastic about the granting of social equality to Negroes in the North. On the latter point he said:

"Exclusion of Negroes from country clubs, private hospitals, housing developments and superior positions in industry is so clear in all Northern metropolitan areas that one wonders whether the humiliations endured by Negroes who have migrated to the North are not in fact more severe and degrading than the ordinary Negro's experience in the South.

The Rev. Anthony S. Woods, chaplain of the society, was the celebrant of the mass, the Rev. Lawrence E. Lucas of St. Peter's Church was deacon and the subdeacon was the Rev. Harold A. Salmon of the Cardinal Hayes High School faculty.

38a 1960

Dixie Editor Says

Atlanta (Ga.) Daily World

Never Suppress Racial Stories

Sat. 9-10-60 P. 1

By LOUIS CASSELS
(United Press International)

WASHINGTON (UPI)—A southern editor said Friday newspapers must never suppress news of racial strife, but should present their stories about such occurrences "so calmly and objectively that they do not further feed the fires of hate."

Woodrow Price, managing editor of the Raleigh, N. C., News and Observer made the statement in a panel discussion on the handling of race news at United Press International' Washington conference of editor and publishers.

Price said it would be a "betrayal of our trust" for newspapers to try to hush up any incident of racial conflict " which obviously is of importance and interest to a large segment of the public." But he said the press has a heavy responsibility to handle such news carefully, avoiding any slant or sensationalism.

James B. L. Rush, executive news editor of the Journal and Twin City Sentinel, Winston-Salem, N. C., presiding over the panel raised the question whether persons should be identified by race in news stories.

IDENTITY BY RACE

He said his newspapers use racial designations "only when we think the story calls for it, when there would be question in the reader's mind left unanswered if we omitted the racial designation."

"If it is not necessary to the story, we leave it out," he said.

H. Galt Braxton, president of the Daily Free Press, Kinston, N. C., said that in his community, which has a 38 per cent Negro population, "We find it necessary in our news columns to identify the people mentioned as to their race."

Sterling Noel, managing editor of the Baltimore, Md., News-Post said the National Association for the Advancement of Colored People is "continually exerting pressure upon newspapers to halt the identification of Negroes in crime stories." He said his newspaper's policy is to "publish the race of the accused when it is paramount to the subsequent action of the story," as, for example, in describing a fugitive being sought by police.

"In other cases, where the race of the accused is not a factor, we generally leave it out," Noel said.

SEGREGATION WILL BE NEWS

38a

Ellis Binkley, executive editor of the Kingsport, Tenn., Times-News, predicted that "in the future we will have less violence as the schools integrate" and eventually "we will see the day when segregation is news rather than integration."

Binkley challenged wire services and northern newspapers to do "more accurate and objective reporting of the racial problem in the North" instead of treating segregation as mainly a southern problem.

"As the South begins to accept integration, the North, I am afraid, will be seeking ways to segregate," he said. "It has already started."

GENERAL

Sociologists Seek Answer To What Do Negroes Really Want?

The Louisiana Weekly
New Orleans, La.

NEW YORK----(ANP)----If Southern whites knew what Negroes really want, white resistance to change and racial tension might be lessened, two Southern sociologists said here last week.

Sat. 9-24-60

The view, contained in a study of what the two racial groups believe are the true aspirations of Negroes, was presented at a session on race relations of the American Sociological Association.

The study, based on responses of a random sample of adults from both races in a Southern urban community, was made by Dr. Charles M. Grigg and Dr. Lewis M. Killian of Florida State University, Tallahassee.

Whites are asked to rank six possible Negro goals in the order they would resist most an in the order in which they believed Negroes desired them.

Negroes were asked to rank the goals in the order in which they would like to see them achieved.

The goals were:

The chance to vote with restriction.

Freedom to visit in white homes, swim in the same places and eat in the same restaurants.

Equal job opportunities, pay and promotion.

An end to segregation in public transportation and sports events.

Negroes, Dr. Killian said, listed their preferences in this order:

38a

Job opportunities.

Legal equality.

Integration of public transportation and sports events.

Integration of schools.

Equality in voting.

Freedom in personal relations.

Whites, he said, although generally lacking an accurate conception of Negro aspirations, revealed wide differences of opinion on the subject.

Those who had gone beyond high school had the most nearly accurate picture of Negro preferences.

NEGRO EX-G. I.'S SEEN HAMPERED IN SOUTH

The New York Times

WASHINGTON, Sept. 15 (AP)—The American Veterans Committee said Thursday that Negro veterans and service men continued to have difficulties in the South because of racial discrimination.

It made public results of a committee "audit" of Negro veterans and service men" covering forty-two Federal Government installations, military and veterans' administration, in fourteen states from Alabama to Oregon, California to New York and Illinois to Massachusetts.

Sat. 9-17-60 P. 1

The group said highlights of the findings included:

Defense installations have advanced integration. But, off post in the South, the Negro service man has many difficulties arising from discrimination.

In the South employment of Negro veterans in white-collar jobs in the installations studied is nearly nonexistent. The A. V. C. auditors said they did not encounter a single Negro contact officer or Negro social worker in any Southern V. A. regional office.

Northern V. A. hospitals and V. A. regional offices are completely integrated, in treatment, service and employment.

Southern Negro veterans were too discouraged by economic discriminations to apply for G. I. home, farm and business loans.

UN shift, racism won't mix, says ex-diplomat

LITTLE ROCK — Graham R. Hall, who has spent the past 10 years in the U.S. diplomatic service, warned the Little Rock Rotary Club recently that African and Asian nations would dominate the United Nations by 1962.

Hall, now in private law practice, has served the State Department as a specialist in UN affairs at Washington, then as counselor of embassy at New Delhi and later as consul general at Melbourne, Australia.

He told the Rotarians that this country's handling of its racial problems might determine its future strength in the world organization.

Stating that he had seen at first - hand the "great harm caused the United States in many countries of the world by the 'Little Rock situation' of two years ago," Mr. Hall advised that in the interest of this nation's fight for survival against communism "we go quietly forward with a reasonably fast progress toward completion of an integration program in our own city."

* * *

BY 1962, he added, the voting majority in the UN General Assembly will have shifted from the predominantly "white" nations of America and Europe to the predominantly "non-white" nations of Africa and Asia.

In view of the Russian habit of "shoving proposals into the General Assembly by a veto in the Security Council," he suggested that the balance of power could be shifted in favor of the Russian through mistrust of the United States by the darker nations.

Who Speaks for the Negro?

To the N. Y. Herald Tribune:

In his Forum Page article "Old Ghosts and New Votes" your distinguished correspondent, Harry Ashmore, uses as his lead the story of how one of the statements made in Los Angeles by Adlai Stevenson during the 1956 Presidential campaign was supposedly misconstrued and misrepresented to convince liberal whites and Negroes that Mr. Stevenson had "gone soft" on the civil rights issue. Obviously this leads Mr. Ashmore to say later that *"inordinate care has to be given to forensics if the sensitive Negro intellectual leaders are to be brought into camp and kept there."*

You advertise Mr. Ashmore as winner of the Pulitzer Prize for editorial writing. In a sense, this is unfortunate. Most of the winners of Pulitzer Prizes for editorial writing—over the last twenty years—have been Southern journalists who belong to the age of Gobineau, or to the kind of scholarly tradition which the late Ulrich Philips fashioned into a mischievous and vital lie. Moreover, the Advisory Committee for the Pulitzer Prize awards has on it men whose written works and formative years were fashioned in the atmosphere of the Deep South: no Negro journalist or writer has ever been awarded a Pulitzer Prize, although there are some truly distinguished Negro writers and journalists here in America and in Paris.

Another bone of contention I have with you and Mr. Ashmore lies in your wanton search for a "middle ground" in the area of human rights. In the editorial with which you prefaced his "Deep North" articles—which, by the way, ignored the deadly influence of the numbers racket on ghetto life as well as the big, politically powerful invisible government which siphons its lucre.

The New York Herald Tribune ranks number ten among the foremost newspapers in the United States (according to Bernays' rating). How is it that among you not one has launched a syndicated columnist from the ranks of Negro writers? Whom do you think you represent when you continue the policy of attempting to make the Southerner spokesman and authority on a problem no Southerner has been able to see in its fullest dimensions?

May I say finally that the trash you ladle out daily is quite well edited.

HENRY F. WINSLOW Sr.
Baltimore, Md.

Prediction: They'll still be fighting Civil War in 2065

The Star - American, Baltimore, Md. p. 9 Sept. 11-19-60

MEMPHIS, Tenn. —Just how much longer are southern politicians going to fight the Civil War?

Hodding Carter, Pulitzer prize winning editor of the Delta (Miss.) Democrat-Times, won't say about all Dixiecrats, but predicts the politicians of Mississippi and South Carolina will still be at it on the 200th anniversary of the war.

That'll be around 2065.

Speaking to the Memphis Advertising Club here, he made two other pertinent predictions:

That Senator Kennedy will win the presidency because Sen. John Eastland of Mississippi thinks so and "I've never known him to be wrong about an election."

That the United Nations is "going to last a little while longer despite the efforts of Gov. Ross Barnett of Mississippi, the Daughters of the American Revolution and Nikita Krushchev.

Integration and the South

By HARRIET VAN HORNE

IF THE passions and prejudices of the intergration problem interest you at all, you will be fascinated—and occasionally horrified—tonight by a special CBS Report titled "Who Speaks for the South?"

During this hour-long symposium—covering two public hearings on school integration in Georgia—you'll hear a diversity of spokesmen. Housewives, clergymen, state officials, Negroes (both wise and ignorant) and a surprisingly candid and shameless spokesman for the Klu Klux Klan.



Harriet Van Horne

As shocking as some of the speeches are, the total effect of the film is more heartening than otherwise. CBS has made a scrupulous effort to show both sides of the integration question. If the producers have taken an editorial stance it could be summed up in Thomas Jefferson's remark, "Be not too severe upon the errors of the people but reclaim them by enlightening them."

The two hearings attended by CBS were in sharp contrast. One was in Atlanta, the other in the rural community of Moultrie. Citizens were invited to give their reasons for favoring either of two plans. Option 1, continued school segregation. Option 2, local ordinances, with the clear possibility of integration. The final vote in Atlanta was for Option 2. In Moultrie, Option 1. The issue will ultimately go to the state's General Assembly. Some quotes from the public hearings, presided over by banker John Sibley, will point up the widely divergent views held by Georgians.

"The reason most of you want segregation," said young Mrs. Shirley Freeman, "is that you're afraid of inter-marriage. But there's no strong attraction between the races."

Midway in the film a shrill little woman springs to her feet to announce that the Bible sanctions segregation. The verse she cites (Acts 17:26), which reads, "And hath made of one blood all nations of men for to dwell on the face of the earth and hath determined . . . the bounds of their habitation," might be said, in its first clause, to demonstrate the opposite.

You will also hear parents of school children announce defiantly that they'd rather see the public schools closed forever than let their children integrate.

"I'd rather die fighting integration than live under it," cries a plumber with an Andy Griffith accent.

* * *

In general, it will strike thoughtful viewers that women are more flexible and tolerant than men, and that bigotry declines sharply as education and economic status—both unmistakable in every speaker—rise.

Most impressive moments of this film are those spent with Ralph McGill, publisher of the Atlanta Constitution, and with Mayor William B. Hartsfield of Atlanta, a man of heroic fiber.

Mr. McGill gave a thoughtful appraisal of the background to the racial conflict. The South, he said, is undergoing an industrial revolution and has within it a social revolution. The breakup of the farms, he said, has brought to the cities many people who lack education and feel insecure. "They fall easy prey to all sorts of demagogic assertions. . . . They are troubled people and they need help."

Closing the schools, said the mayor, would "destroy the city." It would cause the young, intelligent people to move away. Private schools—regarded by segregationists as the only solution—would be beyond the reach of the poor. One of the great troubles, he added, is that older people and the old-fashioned mechanics of politics are still dominant in the South.

Negroes Press Action In South

Demonstrations Staged On Campuses—One Beaten By White Group

By United Press International

The Deep South's racial unrest turned yesterday to Negro campus demonstrations which brought the arrest of 35 students, a faculty member and her physician husband at Montgomery, Ala., and a boycott of classes at famed Tuskegee Institute.

Police charged the Negroes at Montgomery, including five coeds, with disorderly conduct and disobeying an officer. Dr. Jefferson Underwood, 37, and his wife Olene, 38, a teacher at Alabama State College for Negroes, were among those arrested.

In a more serious development that apparently stemmed from a recent wave of lunch counter protest "sitdowns," a Houston, Texas, Negro said he was abducted by four masked white men, beaten with a chain, strung up by his heels and carved with the initials of the Ku Klux Klan.

It was also disclosed that Atlanta was hit for the first time by the lunch counter incidents.

Six Negroes, accompanied by a white student from Atlanta University, a predominantly Negro school, were refused admission to a grill in the basement of Rich's, the Southeast's largest department store, in downtown Atlanta Monday. Rich's said the Negroes were referred to a Negro restaurant in the store.

They Were Turned Away

The white student, James David Vineyard of Springfield, Ill., claimed that he "and some friends" (apparently Negro) obtained service at the grill last Friday and Saturday but were turned away Monday. Rich's officials denied knowledge of an incident except that Monday in which they said they and Vineyard had a "quiet and business-like" conversation for 15 minutes about the matter and that he and the Negroes left the store.

Vineyard said he and "a lot of other people" planned to protest the action by Rich's.

Demonstrations hit at least three Negro college campuses yesterday but a protest demonstration by more than 500 students at Dillard University in New Orleans was short-lived.

At Alabama State College, where nine Negroes were expelled for trying to desegregate a courthouse grill in Montgomery, Negro students were accused of roughing up a college official who tried to halt a demonstration.

Firemen Stood By

The 35 persons were arrested at the college by officers armed with tear gas containers and billy clubs. Firemen stood by with high pressure hoses in case of trouble.

Alabama College grounds Superintendent E. B. Campbell, a Negro, said a crowd of students came toward him waving placards and he remonstrated with them.

"I told them it was against the law to demonstrate," he said. "They crowded me and shoved me so I called police."

At Tuskegee Institute, 50 miles east of Montgomery, one-third of the 2,250 students boycotted classes yesterday protesting arrest of the Alabama State students.

A Tuskegee spokesman said the boycott was an "individual expression of social justice and democracy."

Bowed To Demands

There were also racial developments in Petersburg, Va., where five Negroes were arrested for attempting to sit in the white section of a public library and at Xenia, Ohio, where management of a large restaurant bowed to Negro demands and desegregated the establishment.

The Petersburg group chose to remain in jail rather than accept release on bond pending their trials.

The Houston attack brought local police, with FBI help, into a large scale search for the men who abducted 27-year-old Felton Turner, a Negro who apparently was picked off the streets at random.

Turner, who was not seriously injured, told police his abductors advised him they were paid to "beat up a Negro."

In The Nation

Local Licenses and the Fourteenth Amendment

By ARTHUR KROCK

WASHINGTON, March 16—The President at his news conference today strongly implied his belief that personal service establishments, privately owned, such as shops and taverns, neither act unconstitutionally nor deprive others of their constitutional guarantees when they decline to serve Negroes or any other group they may select. But he expressed as his definite "understanding" that "when an establishment belongs to the public" and operates "under public charter" this discrimination violates the Fourteenth Amendment.

If this interprets his views correctly, then the President's judgment of the legal issues raised in the sitdowns at Southern lunch-counters is that Negroes have a constitutional right to be served, for instance, in the restaurant within the Capitol of South Carolina, provided they commit "no violence in any form," but none to demand service in privately owned establishments, by demonstrations disorderly or otherwise, when racial segregation in these is not banned by local law. Although the President made the reservation that he is not a lawyer, the above judgment is quite general among lawyers and citizens, who also agree with the President's other comment that "there is too much interference in our private affairs and * * * personal lives already."

The 1952 decision of the Supreme Court in *District of Columbia v. John R. Thompson Company, Inc.* (U. S. Reports 346), appears to support the President's concept of the law in such cases. It involves the refusal of a Thompson restaurant to serve Negroes solely because of their race and color. Since then the Supreme Court has so greatly broadened its rulings against segregation that the rationale of this decision could be reversed, as the "separate but equal" affirmation of the court in 1896 was reversed in the school case opinions of 1954 and 1955. But until or unless that occurs, the ruling of 1952 stands.

At issue was a local law of the Legislative Assembly of the District (thereafter abolished), adopted in 1873. This made it a crime to discriminate on the ground of race or color, including a refusal of restaurant service. Justice Douglas, for the Supreme Court, held that these laws were enforceable local regulations of an already licensed business. And he quoted approvingly a judgment of the Federal Court of Appeals that "a municipal ordinance or police regulation ('in the interest of peace and order') is particularly applicable to the inhabitants of a particular place; in other words, it is local in character."

Under this classification police protection in Southern communities of service segregation in private, licensed business is equally "local in character" and could be upheld on the reasoning in the Thompson case. So the President appears to be in agreement with the Supreme Court of 1952.

But, as the President indicated, it

will be prudent not to rely on this in the Supreme Court of 1960 et seq. Local police protection of privately owned, licensed places which do not serve Negroes equally with whites would come before the High Bench under a load of decisions against forms of racial segregation that were still constitutional in 1952. As the President said, "I certainly am * * * not wise enough in this area to know when a matter is such as actually to violate the constitutional rights of the Negroes." And many good lawyers will cry "Amen."

Despite the mounting ugliness of racial conflict in the South that has come with the organized Negro sit-downs, a letter to this department strongly suggests that there is enlightened dissent among them to these and other pressurized methods to uproot deep folkways overnight. "Now," this letter reads, "when there has never been greater need of a qualified electorate, the immediate addition of millions more of the unqualified to the voting rolls is dangerous to the Republic. There are many Negroes more intelligent and wise than myself, but I believe that 90 per cent of them do not possess knowledge with which to exercise the privilege of voting for the nation's best interests."

The writer, Harvey H. Hevenor of Fort Lauderdale, Fla., proposed that the equal rights bills of 1960 be amended to require detailed proof of this knowledge from Negroes and all others. Lest the N. A. A. C. P. put him down as another "Uncle Tom," it should be noted that Hevenor is an honorably discharged Marine sergeant with five World War II battle stars.

Discrimination costs $4,000,000,000

The Afro-American
Baltimore Md.

LOS ANGELES, Calif.—The nation loses $4,000,000,000 annually because of discrimination against colored workers, the Links were told Saturday.

The organization, holding its annual convention here, the past weekend, was addressed by John A. Roosevelt, a member of the President's Committee on Government Contracts, at the Saturday evening banquet held in the Statler Hilton Hotel.

Sat 7-9-60

Said Mr. Roosevelt:

"Our organizations have a great deal in common. We both seek the employment of individuals based on their merits and without regard to their race, religion, color or national origin. The President's Committee on Government Contracts seeks to pave the way to that goal by lifting the barriers of racial discrimination in Government contract employment.

"This is the reason for our existence, under President Eisenhower's executive orders, which charge us with reponsibility for helping men and women of minority groups to claim their rightful place in the American economy, so that they may have equal opportunity in the Nation's job market competition.

* * *

"FOR YOUR PART, through your National Program Committee, you have undertaken a most commendable and essential contribution to the success of the Equal Job Opportunity program of the President's Committee. Your National Project, A Search For Intellectually Talented And Gifted Minority Youth, is of the utmost importance.

"Whatever may be accomplished by our Committee, by state FEP commissions, by national and local private organizations in breaking down employment barriers can be of little avail unless minority youth is trained to qualify for a place in the nation's job market.

* * *

"I AM SURE that there are many times when your local chapters, in attempting to carry out your education and training National Project, must experience a sense of frustration over a paucity of local employment opportunity for trained minority group workers.

"I know that many times you are met, as you seek to encourage youths to train themselves, with a 'what's the use' response. Why should I waste the time on training when the doors of job opportunity are closed to me? The answer, of course, is that this "vicious circle" must be eliminated through the "education" of employers as well as the training of youth.

* * *

"THE EMPLOYER has to be "educated" to the fact that merit employment is good business. This is an important part of the educational phase of our Committee's program, in our contacts with Government contractors and through the various Committee publications.

"Both the training of youth and the "education" of employers are essential to straightening the "vicious circle" into a direct line, without barriers, between the schoolhouse and the employment office.

* * *

"IN THE COMMITTEE'S most recent Annual Report to the President, considerable emphasis was placed on the economic loss to business and industry attributed to discriminatory employment. Also in that Report, using Department of Labor satistical projections regarding the Nation's manpower requirements for the coming ten years, we showed employers that they cannot afford to neglect any part of the potential contribution of our non-white population.

"Based on these Labor Department statistics, we were able to clearly demonstrate that "Employers who will be looking for male, white, under age 45 workers will be in trouble during the next decade. These sought-for workers simply will not be available in the numbers required.

"I have mentioned that our Report stressed economic losses resulting from discriminatory employment. Recently, since that Report was issued, these economic losses were brought very forceably to my attention, in more specific dollar terms than we knew in preparing our Report.

* * *

"IN A PUBLIC opinion survey conducted by Elmo Roper, distributions by broad occupational groups were obtained for colored and white workers. As would be expected, the whites had greater representation than had colored persons in professional, technical, office and other relatively more lucrative kinds of work. Concentrations of colored people were found in the lowest paying jobs. In possession of this information Roper then asked the question, "...suppose the colored population were to be distributed in the same occupational pattern as whites. Suppose the colored population were to be raised to a standard of living equal to that of the white population. Suppose colored people were given an equal opportunity to produce real wealth. How much would this add to the total income of the nation?

* * *

"ROPER'S CALCULATIONS based on these suppositions revealed an appalling loss of four billion dollars of real wealth annually because of discrimination against colored alone.

"These are startling figures, as they reflect the economic loss to the Nation of employment discrimination against colored people, who are only one of the minority groups. Four billion dollars of loss in real national wealth every year is a lot of money, and certainly is cause for very serious concern."

* * *

MR. ROOSEVELT, who is the youngest son of the late President and Mrs. Eleanor Roosevelt, is also a trustee for the National Urban League and trustee for the National Conference of Christians and Jews among other positions.

Catholic Leader Says: Racial Bias Violates the Law of God

The Pittsburgh Courier
Pittsburgh Pa.
Sat. 8-13-60

ST. LOUIS — Interracial injustice seriously impairs the moral leadership of the United States in a changing world, Mathew Ahmann, executive secretary of the National Catholic Conference for Interracial Justice, said.

"Racial discrimination violates the law of God," Mr. Ahmann asserted. "It places men and groups of men in bondage and limits their freedom to seek the good things of life."

Effective education, as well as interracial communication and friendship, is absolutely necessary to solve interracial problems, Mr. Ahmann declared. He made the statement in announcing that the initial meeting of the National Catholic Conference for Interracial Justice will be held Aug. 25 through 28 at St. Louis University.

There is a need for increased activity of churches in work for interracial justice, Mr. Ahmann continued. Ultimately, religious values can provide the basis for inter-action communication in those places where it has broken down, he declared.

Mr. Ahmann said that population shifts are leading "to heavily non-white cities surrounded by rings of all-white suburbs. Racial difficulties across competing political boundaries," he added, "would freeze bad social patterns for years to come."

"White and Negroes, Protestants, Jews and Catholics must work together on the problems that our great democracy must solve," he stated.

CEMETERY MIXING IS DEMANDED

Jackson Daily News
Jackson, Miss.
Thurs. 8-25-60

By United Press International

Negroes picketed segregated lunch counters in Florida and South Carolina Wednesday and Negro leaders at Hopewell, Va., vowed to fight for integration of a city-owned cemetery.

Eight Negroes filed a federal court suit last week demanding equal burial rights in Appomattox Cemetery at Hopewell. The city voted Tuesday night to sell the cemetery to private interests, instead, but Negro leader Curtis Harris said anyone who buys it "will buy a suit along with it."

Harris also promised new anti-segregation protests today at drug stores in Hopewell where eight Negroes were arrested Wednesday for seeking lunch counter service.

Six Negro anti-segregation pickets were arrested Wednesday at Greenville, S. C. on charges of obstructing traffic. But Greenville's teen-aged curfew, enacted last month to curb racial violence, was lifted.

TAKEN TO COURT

Police at Jacksonville, Fla., took four young Negroes—14 to 16 years old—to juvenile court for taking part in anti-segregation picketing. Chief probation officer Joseph M. Lorimier Jr., said they were too young to take part in such demonstrations and their parents would be subject to arrest if the youngsters did it again.

At Miami, the Congress of Racial Equality picketed a shopping center where 18 persons were arrested during a demonstration last week.

At Memphis, Tenn., where 11 Negroes were fined $51 each Wednesday for disorderly conduct in connection with lunch counter demonstrations, Asst. Police Chief U. T. Bartholomew said a new police emergency squad will handle future demonstrations.

In other racial developments:

Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals granted the state of Alabama a 30-day stay of a federal court order giving state officials until today to surrender voting records to federal inspection.

Tulane University in New Orleans announced plans for "emergency basis" schools for children of Tulane faculty members if public schools in New Orleans are closed to avoid integration.

Congressman Diggs Says Negro Must Help Himself

The Call Kansas City, Mo.
Fri. 6-3-60

Congressman Charles C. Diggs Jr., speaking here Sunday afternoon, paid tribute to the way that his people have pursued their fight for freedom, then called upon every Negro to assume a more definite responsibility for "initiative, self-support and better personal conduct."

He called upon the Negro to help himself more by making a maximum contribution to the cause of equality, whether he is "a cotton picker or a college president, a bus boy or a bishop, a domestic or a white-collar worker."

"We desperately need dedicated sacrificing leadership today," said the congressman from Michigan as he spoke at a public meeting at the St. Stephen Baptist church.

"We desperately need to enlist the support of our talented people who occupy a position between our traditional leaders and the masses of our people—men and women who are robust, vigorous and young at heart, men and women who are not easily discouraged or disillusioned, men and women who are prepared to go on to the end, fighting with growing strength and convictions until we can walk boldly into the blazing sun of a glorious new day."

The congressman urged Negroes to be careful of their conduct, behaviour and appearance at all times.

"The so-called average, ordinary Negro," he said, "must recognize that he, too, can make a contribution through numerical strength and solidarity—that simply this mode of personal conduct or misconduct can deny our acceptance in society despite all the laws for our benefit."

Do you dress properly when you go downtown?" he asked. "Do you sit on the front porch in your underwear?" Do you litter your own yard or a public park with barbecue bones or beer cans and wine bottles?" "Do you know where your children are at at all times or do they run the streets unsupervised at all hours of the night?"

The speaker also placed emphasis on the need for Negroes to use the power of the ballot box.

"Our brothers and sisters in the Rhodesias, Nyasaland, Kenya and South Africa are sealing with their blood a pledge to establish the principle of universal suffrage to assure them equal opportunity to participate in the political process. They have an unfaltering determination to use the ballot box, despite oppression unheard of in this country, even in the ignorant territory of Mississippi.

Too Few Vote

"And yet, he continued, "here in Kansas City with no restrictions and militant efforts by local Negro leaders of both parties, half the eligible Negroes are not registered to vote and many of those registered do not bother to actually vote on election day.

"I would give my kingdom if every Negro in Kansas City would make voting a part of his religion. Within the ballot box lies the power to help make our righteous cause heeded from Kansas City to Jefferson City to Washington.

"Within the ballot box lies the power to help assure a future of freedom for ourselves and our posterity from the courthouse to the Statehouse to the White House. Those of you who feel that voting is for white folks only—those of you who hide behind hearsay and rumors and your own disinterest—do not deserve the benefits of first class citizenship."

School Case Anniversary

Opening his address, Congressman Diggs recalled that "this month we commemorate one of the most fateful—and hateful—events in our history—the desegregation decree of the United States Supreme Court." He added that the "staggering impact of this decision and its effect not only upon our educational system but the entire question of human relations sounded the trumpets announcing the arrival of a new legal concept demanding a complete change in the interests, customs, beliefs, and sentiment of the American people."

Speaking of the Negro's fight for freedom, Diggs said that "when the history of the Negro's struggle for equal rights in America is finally recorded, it should contain a special tribute to the way we have pursued our cause. No group has suffered greater indignities.

"No group has been more patient, more considerate, and more level-headed in the face of like tyranny. From Crispus Attucks to the last black finger that pulled a trigger in Korea, we have made human sacrifices upon the altar of freedom for all men and then returned home and pressed peacefully to share in the benefits of our nation's victory."

"From the Dred Scott decision in 1854 through the Emancipation Proclamation, through the executive mandates and judicial directives of our day, he continued, "over the bodies of the Emmett Tills and the Mack Parkers and under the determination of the Martin Luther Kings and the Daisy Bates, Negroes have stalked their objectives down the legal pathways of our land.

"Those who would deny us our rights should be eternally grateful to such organizations as the N.A.A.C.P. for absorbing the emotional impact generated among Negroes by the unreasonable prejudice of the American people."

The Negro wants so little, the Congressman said further, that it is a constant source of amazement to him that he does not demand a higher price for his pain and suffering.

I can tell you in one sentence what the Negro wants: He seeks merely an equal opportunity to be judged on his merits alone and to be treated with the same dignity and respect as any other human being.

"Could not such a treaty be signed in the interest of a lasting racial peace? Would it not eliminate the greater sacrifice which is being made in the current war of social conflict?

"When England realized she could no longer keep her non-white colonials in subjection, she gave them first-class citizenship, independence and membership in the British Commonwealth.

"A long and bitter fight which would have converted her colonials into enemies instead of partners and friends was thus avoided. This is what can be accomplished in Kansas City and the rest of America if the decent white people would only exercise courage, imagination and the Christian instincts they profess every Sunday morning."

Turning the spotlight "upon ourselves," Congressman Diggs said that the Negro must "wake up to the advantages of economic cooperation and stop being the commercial footmat of other people."

"If the average Negro would only patronize the other Negro-owned businesses and professionals as he does the Negro undertaker, he could bury many of his own problems tomorrow morning."

He said that until the race factor is eliminated from commercial enterprise, "we need to concentrate on the development of more of our own institutions just like the Jews, the Italians, the Poles and numerous other groups.

He said that "there is something wrong with the fact that Orientals comprising less than one-fifth of one per cent of the population of the United States do more business at retail than Negroes who represent 10 per cent of the pupulation."

At the same time that he called upon Negroes to patronize Negro businesses, the congressman said that "this imposes a responsibility on Negro business and professional people to make it less difficult to deal with them—to keep their places clean, modern and inviting and with competitive praces, to constantly replenish their knowledge and keep pace with the revolutionary changes being experienced in every business and professional field."

He said that even the strong motivation of race pride makes it hard for a customer to subject himself to inferior service, high prices, limited facilities or discourtesies just to patronize a particular person or firm.

Congressman Diggs spoke at a public meeting sponsored by two local business organizations, the Homeseekers Savings and Loan association, 1805 Vine St., and the Kansas City Business association, 23rd and Benton Blvd.

W. Franklyn Clark, president of the Homeseekers organization, presided and made preliminary remarks. Invocation was offered by th Rev. S. S. Myers, pastor of the West Paseo Christian church.

Mr. Clark said that the Homeseekers association was started in 1926 by substantial and forward looking leaders in order to make it possible for Negroes to get loans on their homes "withoug paying some sort of lug."

From a $25,000 capital investment, today the company has assets totalling more than $250,000 and is now in an expansion drive for an increase to $500,000.

Words of welcome were given by the Rev. John W. Williams, pastor of St. Stephen Baptist church, and Lee Vertis Swinton, president N.A.A.C.P.

Congressman Diggs was introduced by William H. Young, vice president of the Kansas City Business association, and manager of the Missouri division of the Detroit Metropolitan Mutual Assurance company. Edward H. Pate, president of the Business association, who was scheduled to present the speaker, was out of the city.

Selections were sung by the Senior choir of St. Stephen, directed by Mrs. Marena Bell Williams. A solo was sung by Miss Sylvia D. Braddix, stenographer-clerk with Detroit Metropolitan. The agency force of the insurance company which is headed by Congressman Diggs sat in a body at the meeting.

The benediction was pronounced by Father Birney W. Smith Jr., rector of St. Augustine's Episopal church.

Racial Violence In Chicago And Detroit

By THE ASOCIATED PRESS

Chicago police today sought a gang of Negro youths after a white Southern truck driver was stoned and beaten to death.

James Jewell, 30, of Chicago, said his brother, John, 37, of Memphis, Tenn., stopped his truck after a rock was hurled through a window and the Negroes attacked them. John Jewell died in a hospital Tuesday.

In Detroit, five Negro teenagers were held after a 30-minute shooting spree in which two white men were wounded and two others fired upon. A bullet was also fired through the sleeve of a policeman in the shooting in a racially mixed neighborhood on Detroit's East Side Monday night. "We just wanted to shoot," police quoted one of the Negroes as saying.

In Atlanta, the Rev. Martin Luther King Jr., Negro leader in the current South-wide series of sit-down demonstrations, said the next campaign against segregation may be "in the whole area of voter registration." He declined to give details.

All three restaurants in San Antonio's biggest department store were closed after a white man slapped a Negro demonstrating against segregation.

The white man, Eugene Nolte, owner of another restaurant, and the Negro, the Rev. Earl Graham Jr., were arrested for disturbing the peace and released on $25 bonds.

Officials of Joske's department store, scene of Negro demonstrations the past two weeks, said the three restaurants would stay closed indefinitely. One, the basement cafeteria, had been integrated but Negroes had boycotted it and sought service in the other two.

Another big department store, the Diamond in Charleston, W. V., bowed to Negro demands after two years of boycotts and sit-down demonstrations.

"Cooperating with the mayor's commission on human relations, the Diamond is making its eating facilities available to all customers," a statement from the store's largest store said. Other Charleston stores with eating facilities had previously opened service to Negroes.

The New Orleans Parish School Board released the results of a poll showing that 82 per cent of the white parents who replied would rather close schools than integrate them and 94 per cent of Negro parents want them to stay open. More than 15,000 white persons answered the poll and more than 12,000 Negroes.

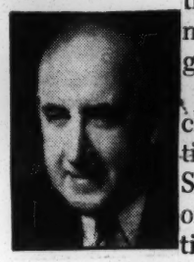
An itinerant white Los Angeles preacher who announced he would try to speed integration of lunch counters has been ordered to pay a $200 fine at Marshall, Tex., or serve 86 days in jail.

In Brunswick, Maine, a group of Bowdoin College students said they planned to set up a scholarship to help any Southern Negro student expelled "because of his fight for equal rights."

Perspecuve

Registered U.S. Patent Office

The Integration Complex



by Raymond Moley

BILOXI, MISS.—Here in Biloxi every prospect pleasantly induces calm and orderly reflection upon what I have heard and read about the integration controversy during this trip through the South. Such conclusions as I may offer are based upon situations in Virginia and Alabama where legal issues have been tightly drawn and patterns of counteraction have been devised by opponents of integration. Conclusions drawn now must be tentative, for we are witnessing only the early skirmishes of a long and widespread conflict.

It is clear to me from what I have seen that there is no single problem, but hundreds of local situations and problems. In some cities in Virginia where the character of the population is affected by large infiltrations from the North, a limited integration is already under way. In others, all schools are closed. In others, the relations of the races are so favorable that normal segregation goes on peacefully.

Integration by court orders means litigation, and litigation requires legal talent mostly supplied by the NAACP. This organization or any organization, even the United States Government, has limited legal manpower. Litigation cannot go on everywhere all at once. Conquest over the traditions of generations will take many years. No one can predict the time or whether, indeed, there can ever be uniformity.

MORE PRIVATE SCHOOLS

In the North we must live upon news, and news is generally worthy of publication when it marks something unusual. The normal course is not news. And I venture to say that in the very great majority of communities things go on as they have, except for some tightening of race relations and, regrettably, a deterioration of the opportunities which have greatly benefited the status of the Negro.

The growth of private schools will certainly be accelerated. The concept of the free public school as the cradle of democracy will suffer some shocks. These private schools will not necessarily be supported by taxpayers' money. They may be private in the complete sense of the word. But all over the nation in the past twenty years the relative attendance in private schools has abruptly risen. Between 1940 and 1956 nonpublic schools grew four times faster than public schools. Twenty-nine per cent of the additional children who sought admittance to the schools between those years went to nonpublic schools. One of the major reasons for this shift was popular dissatisfaction with the kind of education that the public schools were offering. The South now has another reason, which will greatly accentuate this trend.

Front Royal, Warren County, Va., after a court order requiring the opening of its high school on an integrated basis, established a foundation which is supporting private classes. The plan is solidly backed by the community. Its adaptation to other situations as a workable solution, however, cannot be predicted this early.

BETTER PUBLIC SCHOOLS

The decision of Judge Albert V. Bryan in Virginia some months ago—that certain tests should be met by Negro pupils seeking entrance to previously all-white schools, provided no racial discrimination influenced the decisions of the school authorities—was followed by the Supreme Court's approval of an Alabama law providing such tests. This will, if carried out in good faith, provide for a limited integration. A new test of this Alabama law is now coming on.

It will become inevitable that such tests in good faith will have to be applied to white children quite generally. The effect upon all education will be excellent. For the tests will impose upon schools the necessity to stiffen the curriculum and also to provide distinctions between pupils according to capacity and talents. Thus, there may well emerge from these clouds of controversy some break from the deadly uniformity and softness now so prevalent in so-called "progressive" education.

Perhaps, as Hodding Carter concludes his account of the Reconstruction in his notable book "The Angry Scar," the North remembers too little of that moral and political abomination, and the South remembers too much. But the scar still harbors an infection for which the North should recognize its own responsibility.

'Forced Integration'

TO THE CHRISTIAN SCIENCE MONITOR:

The recent letter "Forced Integration," was very interesting.

I concur with the letter-writer when he says that there are two sides to integration. One is the need for social justice based upon equality. The other is the need to realize the difficulties faced by those who must reorient themselves to a new set of social values.

He has put his finger squarely on the problem: "The white person here," he writes, "is determined not to be forced to associate on an equality with the ordinary Negro. If the cultured and well-educated Negro is here, as doubtless he may be found around the Negro colleges, the average white person does not come in contact with him."

Could we not say that the "ordinary Negro" is, in practice, every Negro, and that education seems to make little difference in this practice? If education does make a difference in social equality, why are there "Negro colleges," and how many Negroes are admitted to the University of Georgia on an equal basis?

The letter-writer continues: "Until the Negro, through the years, gains refinement and culture, he should not expect social equality." How does the Negro gain this refinement? By osmosis? By being excluded from the society to whose standards he is supposed to conform? Please tell us how we can accomplish this granting of social equality without a reexamination of ourselves and a corresponding readjustment of our attitudes.

Seattle B. J. HELWIG

38a 1960 GENERAL

Biased Officials Study Charlotte

Has Dixie Obtained New Secret Weapon?

By TREZZVANT W. ANDERSON

CHARLOTTE, N. C.—This is my home town. I was born and raised here. So naturally I have a deep interest in what goes on here.

As a result—and also beacuse I covered the historic school integration openings here in September, 1957—I was extremely aroused by the keen interest shown by Little Rock, Virginia and Atlanta officials in how Charlotte did it.

They've let Negroes in, then moved the schools out of Negro reach! So, I came here to see for myself, and what I have found has shocked me.

Unless somebody convinces me otherwise, I feel compelled to believe that the white folks here have found a safe way in which to "comply" with the Supreme Court decision of May 17, 1954, and still succeed—within the framework of the law—in keeping Negroes out of "white" schools.

That would account for the visiting firemen coming here to see how it was done and then hurrying back to their own communities and initiating a similar program of desegregation—following the Charlotte methods. That is what has taken place in Little Rock, in Virginia, and is now contemplated for the Atlanta public school system.

■

WHAT AROUSED my keen interest in Charlotte was the following situation:

Charlotte—along with Winston-Salem and Greensboro—voluntarily integrated their public schools, without pressure from the NAACP through the courts or from the courts. The cities used a pupil assignment law, now commonly known as a pupil placement law, with an up-to-now unused Piersall Plan for closing schools under certain conditions.

The action of the Tar Heel cities was hailed as a genuine demonstration of willingness to go along with the Supreme Court decesion. This was after Negroes had rebuffed Gov. Luther Hodges' pleas that they voluntarily segregate themselves. Even Negroes praised the three cities for their actions. This reporter covered the openings at all three cities in 1957.

But the statistics that have since come out of Charlotte—and must have stirred the hearts of school officials in Little Rock, Virginia and Atlanta—tell a grim and graphic story of how the operation has turned out:

In 1957, 45 Negroes applied for admission to white Charlotte schools. Five were admitted.

In 1958, 35 Negroes applied for admission to white Charlotte schools. Four attended, including two from the previous year. Thus, two were admitted.

In 1959, eight Negroes applied and not one was admitted. One was still in from the previous year.

What was happening was the question which kept running through my mind.

Well here is what happened: The Charlotte School Board had admitted some in 1957 and 1958 under the basic principle of the Supreme Court decision of a child going to the school nearest its home. But in 1959, the school board built schools NOT near the Negro areas, but in locations where—under the basic Supreme Court decision—no Negroes were actually eligible. Therefore, according to that standard, not one Negro pupil was admitted to the white schools in Charlotte in 1959.

The one Negro student still in a white school is Fannie Delores Waterman, an 11th grader at the new Garinger High School, which replaced Central High, which graduated Gustevas Roberts in the spring of 1959. "Gus," now 18, is now in the U. S. Air Force.

His sister, Girvaud, a pert 14, who was integrated in 1957 into Piedmont Junior High School, successfully completed her work there and was promoted to senior high school. She was first assigned to Garinger High (the new white high school) but was later told to attend Second Ward High, a Negro school, which is nearer her home than Garinger.

Her mother, Mrs. Elizabeth Roberts, stoutly refused to send her daughter to the Negro school and, instead, enrolled her in the white Catholic high school, which she is still attending. "I will never send her to Second Ward," Mrs. Roberts firmly told The Courier.

When Miss Waterman is graduated from Garinger there will be no other Negro student in the "white" schools, and for a very simple reason: all live nearer to the Negro schools. Why? Because the city is building the schools that way. And Negroes are helping, for in Charlotte Negroes backed the bond issue that gave the city the new Garinger High, plus another white junior high school.

Delores Huntly, the Negro girl who integrated Alexander Graham Junior High in 1957, is now back at Second Ward, the Negro high school. Why? Well, the city sold the Alexander Grahm site for a new white YMCA and built a new junior high to replace it. They built this new school far away from Negro residences, and so Delores had to go to the school nearest her home—in compliance with the basic principle of the Supreme Court decision.

Ironic is the fact that this new school is named for the chairman of the School Board, Bishop Herbert Spaugh, instead of the late Dr. Graham, who was the father of liberal Dr. Frank P. Graham, former president of the University of North Crolina.

■

THE NEW tactic has still another advantage—from the segregationist viewpoint—it is getting a subtle "assist" from the urban renewal program right in Charlotte. A thickly populated Negro section, called "Brooklyn" in the Second Ward, is being demolished for commercial and industrial redevelopment. It is near white residential areas.

Moving the Negroes out is another way to remove the threat of integrated schools. This ought to be watched in Augusta and Atlanta, Ga., both of which have such programs in the making.

In Charlotte, the superintendent of schools, Dr. Elmer H. Garinger, is said to have expressed the private belief that the Negroes in Brooklyn would move to the west side of town, where there are both senior and junior high schools for Negroes. They have been fooling him, however, for most of them are moving into the First Ward, an area adjacent to the junior high school "integrated" by Girvaud Roberts in 1957.

Has Dixie found a new secret weapon? From the way things have operated in Charlotte, it seems that perhaps it has—an expensive one—unless something is done to change the picture, and I suggest a long look at these urban renewal programs to insure that Negroes get back in their own areas.

Find U. S. Race Treatment Its Weakest Link

DE KALB, Ill. — (UPI) — The "weakest link" in the American system is the treatment of the Negro, Dr. George S. Counts, professor of education at Michigan State university, said this week.

Counts addressed a group of 500 persons, most of them teachers at Northern Illinois University's second annual educational conference.

"One of the major realities we face today," Counts said, "is the retreat of the light skinned people from Asia and Africa. On those continents the dark-skinned peoples are rising up and they will not be satisfied until the last vestage of their sense of inferiority has been removed."

Treatment of the Negro in the U.S., Counts said, might cause Americans to lose the struggle with Communism."

Integration Is Spreading In New Term

But Miami Schools Bar Two Negroes

By United Press International

A Negro pupil was assigned to a predominantly white school at Charlotte, N. C., for the 1960-61 school term yesterday but in Florida the state cabinet refused to order two Negroes admitted to white schools in Dade County (Miami).

In Virginia, actions by the State Pupil Placement Board signaled the first racial integration of classrooms in two major cities, Richmond and Roanoke. More than 100 Negro children will attend previously all-white or predominantly white schools in Virginia next month.

The Mecklenburg County (Charlotte, N. C., School Board approved the second request by a Negro pupil for transfer to predominantly white schools this year. It rejected applications by three other pupils, two of them the sons of North Carolina N. A. A. C. P. president Kelly M. Alexander, of Charlotte.

The Third Year

It will mark the third year of limited school integration in Charlotte and Mecklenburg County and the second year of integration in some Virginia cities and localities. Both states have pupil placement plans, North Carolina's locally administered and Virginia's administered by a state board.

Florida, which also has a pupil placement plan, has had limited integration for a year in some Miami area schools. But the state cabinet in Tallahassee, acting as the state board of education which handles pupil placement appeals, declined to order two pupils admitted to white high schools.

Assistant State Attorney Gen. Ralph Odum, Florida's legal expert on segregation laws, said the appeal in the case of Theodore Gibson jr., son of a Maimi N. A. A. C. P. leader, clearly was pushed solely to "further the cause of integration."

Terminal Restaurants

The cabinet refused to act in the case of the second, Negro pupil, Benny Pearson, because his case had not been decided by the local school board.

Restaurants in trailways bus terminals in six Southern and border states have been desegregated. Bryce Wagoner, president of Bus Terminal Restaurants, Inc., announced at Raleigh, N. C., that his firm's eating establishments in Trailways terminals in Virginia, North Carolina, Tennessee, Florida, West Virginia and Maryland no longer will "refuse service to any one because of race."

He said both white and Negro restaurants will be maintained, but Negroes will not be prevented from eating in the white restaurants and any white diner may buy in the Negro restaurant. The restaurant firm has no connection with the Trailways System but operates on space leased from the bus company.

Orders New Orleans Schools Integrated On 6th Anniversary

BY THE ASSOCIATED PRESS

The ordering of desegreated classes in New Orleans highlighted today's sixth anniversary of the U. S. Supreme Court decision outlawing segregation in the nation's public schools.

U. S. District Judge J Skelly Wright directed public schools in the Louisiana city to desegregate classes next September

The judge had advised the Orleans Parish county School Board to submit a desegregation plan "or I'll have one for you."

Gerald Rault, school board attorney, told the court Monday the board had not prepared a plan because it believed "that it does not have the right to do so" under state law.

The judge then issued his order. Louis G. Reicke, vice president of the school board, said afterward it was up to Gov. Jimmie H Davis and state segregation leaders to keep the schools open and segregated.

But, he said, "I frankly don't see how we can keep the schools open on a segregated basis in the face of this order."

In Atlanta, Negro student leaders were uncertain whether to go ahead with plans for an integration sympathy march on the Georgia capitol in the face of a stern warning by Gov. Ernest Vandiver The governor said he would "not tolerate . demonstrations which might incite violence and riots"

Roy Wilkins, executive secretary for the National Assn. for the Advancement of Colored People, issued a statement in New York in connection with the anniversary of the Supreme Court ruling

He said that six years after that decision only 6 of every 100 Negro children in Southern and border states attend integrated classes

Another Negro integration leaders the Rev. Martin Luther King Jr., protested being placed on trial in a segreagted courtroom in Montgomery, Ala He maintained it would violate his constittuional rights.

That action and other pre-trial motions led to postponement until Wednesday of the minister's arraignment on charges of filing false state income tax returns.

Twenty-four Negro students — four of them girls—were arrested during a sitdown at a lunch counter for white persons at the S. H. Kress & Co. store in Chattanooga, Tenn

In Detroit, the S. S. Kresge Co. said its policy is not to file complaints against sit-in demonstrators at its variety store lunch counters in the South. At the same time the company said it is obeying laws and customs in Southern cities where integration is prohibited.

In Washington, the Supreme Court unanimously reinstated a suit against the State of Alabama to enforce Negro voting rights.

While the High Tribunal was acting, agents of the Federal Bureau of Investigation began checking voter registration records in Webster County, Ga., and McCormick County, S. C.

Haywood County, Tenn., opened its registration books to Negroes for the first time since reconstruction days, but none showed up to enroll as a voter.

Marian Anderson, World's Greatest Contralto, Describes Racial Bias Effects in Mag

New York, New York—Marian Anderson, long known as the world's greatest contralto, has given command performances for kings, sung stellar roles at the Metropolitan Opera House, given concerts in every continent. To honor her the United States appointed her delegate to the United Nations.

But even she has been barred from a white waiting room in a southern railroad station . . . been forced to take a back elevator in a California hotel . . . been prevented from buying the home she wanted in New York's suburbs. She cites these incidents in an article in the September Ladies' Home Journal.

Hair Across Cheek

How does a Negro describe these discriminations that confront him in a white world? "Sometimes it's like a hair across your cheek. You can't see it, you can't find it with your fingers, but you keep brushing at it because the feel of it is irritating," Miss Anderson says.

When does the Negro first sense this hair across his cheek? Does a parent warn his child to expect it? Marian Anderson's mother didn't. She says, "I don't remember being conscious of any difference between me and white children when I was a small child. I think this was because there were white and Negro families intermingled on our block, and all the children played together.

Not Stupid

"I wasn't quite so stupid as not to realize my skin and hair were different from those features in my white friends, and I was conscious of some social implications these differences made . . . I was in my teens before I was hit by the full realization of what it could mean to be a Negro." It came when she was denied admittance to a music school because "We don't take colored."

Physically Sick

She says she was as sick as if she'd been hit by a fist right in the middle of her stomach. "I mean really, physically sick . . . I thought, 'Can't I sing, can't I be a singer because I'm colored? . . . I know my mother talked to me when I got home and for days after that. Maybe it would have been better if she had told me when I was littler what kind of things could happen if you were a Negro."

It is because of obstacles like this that many light-skinned Negroes pass as white. Miss Anderson's own husband was one of them. She says he did it in order to prove his professional abilities.

ALABAMA COURTHOUSE

Negroes Stage 1st Deep South Lunch Stand Sitdown Protest

(MONTGOMERY, Ala., Feb. 25 (UPI) — Negro students staged the Deep South's first segregated lunch counter sitdown demonstration today by taking seats in a snack shop in the Montgomery County courthouse.

They requested service, but the shop closed immediately. Sheriff Mac Sim Butler ordered the 35 Negroes to line up single file against a wall.

Deputies patroled halls outside the basement shop and state highway patrolmen arrived to take pictures of the Negroes who stood against the wall, reading text books, for 45 minutes.

The students said they were from Alabama State College, a state-supported school for Negroes here, and Gov. John Patterson ordered an investigation and indicated the students taking part would be expelled.

It was the first such incident to occur in the Deep South states of Alabama, Georgia, Mississippi or Louisiana since the passive protests against lunch counter segregation began in the Carolinas, Tennessee and Virginia three weeks ago.

Interracial violence has occurred in Portsmouth, Va., and Chattanooga, Tenn., and mass arrests were made in Portsmouth, Raleigh and Winston-Salem, N.C., and Richmond, Va.

The woman proprietor of the Montgomery County courthouse snack shop warned the Negro students they would be charged with trespassing. Alabama law prohibits whites and Negroes from eating together in public or private places. A courthouse official said the Negroes violated the law by asking to be served doughnuts and coffee in the snack shop.

The Negroes indicated the protest was spontaneous and was not organized or directed by any outside group, but a highway patrolman said, "We want to get all the background we can on this. We want to find out who they are and what they do."

Patterson ordered Alabama State College President H. C. Trenholm to investigate and report what action is taken. He said if any Alabama State students participating are not expelled he would call on the state board of education to expel them.

There were no arrests, but Butler told the Negroes, "If you disrupt the work of any of these officers there will be trouble. There will be arrests."

The Negroes said they planned to stay at the courthouse until served, but left after about 45 minutes saying, "It is obvious we won't get anything done here today."

Whites Show Ignorance

What Sparked Student Revolt?

(Courier Press Service)

DURHAM, N. C.—Perhaps the most frightening spectacle in a democracy is to view ignorance in action on a wide scale.

This is the picture that is on display here in North Carolina, in South Carolina and in neighboring Virginia, as a result of the widespread revolt of Negro college students against segregation in public life.

We have seen the Negro strikers . . . restrained, dignified, well-dressed, poised and confident . . . carrying the American flag and praying. Their white white antagonists, many dressed in blue jeans and sporting "ducktail" haircuts, carrying the American flag and praying.

■

MANY OBSERVERS have been wondering just what has sparked this spontaneous protest on the part of Negro students. This can be traced back to the fact that in North Carolina, Negro colleges spend millions of dollars yearly of taxpayers' money to produce "first-class" citizens who will be willing to accept "second-class" treatment.

Most Negro college presidents will tell you in private that this is an impossible task.

Atty. Gen. Malcolm Seawell, a candidate for the governorship of North Carolina, has already asserted that "Private business has the right to deny service to undesirables."

But, under the status quo, one-third of this state's population is undesirable for only two out of three North Carolinians are whites.

■

MOST OF THE trouble over jim crow in North Carolina has centered around bus stations, five and ten cent stores and public schools.

Paradoxically, Sekou Toure, president of the West African Republic of Guinea, had been given "red carpet" treatment by the Governor of this state.

M. Toure and his party were taken around the state to locations of prime interest. Negro businesses and Negro colleges were put on "display" to prove the much belabored point that the Negro here was not as "bad off" as some quarters would want the non-white world to believe.

The demonstrations have been led by student groups from the following schools: Shaw and St. Augustine in Raleigh; North Carolina College in Durham; Hampton Institute in Hampton, Va.; Elizabeth City and Fayetteville State Teachers Colleges; Winston-Salem State Teachers College in Winston-Salem, and North Carolina A&T College in Greensboro, N. C.

Oddly, there is no law on the statute books of the state of North Carolina which prohibits Negroes and whites from sitting together at the same lunch counter.

But, despite this fact, students have been arrested for "trespassing" despite the fact that all places concerned have been those who are ostensibly in business for the purpose of serving the public.

■

VIOLENCE has been slight, in keeping with the orderly manner in which the demonstrations have been carried out. What is most important is the fact that the South is now possessed of a militant and intelligent leadership which is a tribute to its segregated educational system.

26 STUDENTS HELD IN RACIAL PROTEST

Negro Collegians Arrested in Sumter, S.C., as Store Demonstrations Spread

The police in Sumter, S. C., arrested twenty-six Bible-carrying Negro college students yesterday as demonstrations against segregated lunch counters continued to spread across the South, according to The Associated Press.

The movement reached Miami, Fla., where eight ministers tried unsuccessfully to break the color barrier in a downtown department store lunchroom.

About 1,000 students at Alabama State College, a Negro institution at Montgomery, scheduled a rally last night, presumably to determine whether they will carry out a mass walkout in protest against expulsion of nine campus leaders who sparked sitdown demonstrations.

In Nashville, Tenn., state warrants were issued charging eighty students, most of them Negroes, with conspiring to violate the state trade and commerce law by helping to direct last Saturday's lunch counter demonstrations.

Those charged included the Rev. James Lawson, a Negro student expelled from the Vanderbilt University Divinity School on the ground that he was a leader in the demonstrations.

Cases Going to Jury

The students posted bond. Officials said the cases would be presented to the grand jury that meets Monday. Conviction could carry a maximum penalty of 11 months 29 days in the workhouse, a $1,000 fine or both.

Breach of the peace charges were filed against the twenty-six students who tried to obtain service at three stores in Sumter. Bond was set at $100. None could raise the money immediately.

Sheriff E. Byrd Parnell told newsmen he would see that no businesses in Sumter would have to close because of such demonstrations.

In Columbia, S. C., students from two church-supported Negro colleges, Allen and Benedict, agreed to discontinue for the present their campaign for integrated lunch counters.

Mayor W. G. Enloe of Raleigh, N. C., announced appointment of a committee to seek a way to end the Negro demonstrations. The fifteen-member advisory group comprises Negro and white citizens.

Counters Are Reopened

Four variety stores in Winston-Salem, N. C., reopened their lunch counters after warning that demonstrators would be prosecuted as trespassers. None appeared.

A group of Negro students from Barber-Scotia College in Concord, N. C., held a religious service on the courthouse lawn, ignoring jeers and catcalls from a group of white youths.

Miami's first experience with the demonstrations ended peacefully.

The Rev. Edward T. Graham tried to lead seven other ministers into a lunchroom at Burdine's department store, but was blocked by three store employes.

A cross was burned in front of the home of a Negro family in Pensacola, Fla. The father, Abraham Tolbert Jr., told the police he would kill anyone else who tried to burn a cross in his yard. His family is involved in a school integration suit.

Four Negro students were fined $20 each on trespassing charges brought when they declined to leave a department store after being refused service at a white lunch counter in Richmond, Va. Thirty Negroes arrested at the same time in Thalhimer's department store are still to be tried.

Lunch Counter Incidents

Racial Violence Flares In Dixie

By THE ASSOCIATED PRESS

A young Negro woman was hit with a miniature baseball bat and more than 80 persons arrested Saturday as violence erupted in the South where Negroes are pressing their campaign for equal service at lunch counters.

In Washington, Sen. Richard B. Russell (D-Ga.) charged efforts are being made to spark Southern race riots in hopes of winning support for passage of pending civil rights legislation.

Student demonstrations and picketing occurred in several Southern cities and at Madison, Wis.

Montgomery, Ala., was the scene of the racial incident involving the Negro woman, Christine Stovall, about 22.

Police said she was struck on the head by one of about 25 white men who gathered in the downtown area carrying miniature baseball bats in paper sacks. The blow drew blood but she was not knocked unconscious.

About a dozen whites and Negroes scuffled briefly after the incident. They disappeared in the gathering crowd before police arrived, however, and no arrests were made.

At Nashville, Tenn., police broke up a series of "sit-ins" by Negroes in downtown stores and arrested 75 persons. Two fights were reported and auto traffic was detoured around one block of Fifth Ave. for a time while demonstrators milled about.

Lunch counters at three variety stores, a drug store and a department store were closed. Police said all those arrested would be charged with disorderly conduct.

"We're going to fill their jails," Earl Mays, a Negro student at Fisk University, Nashville, told a reporter. "That's a promise."

"We did not take all the seats," said Diane Nash, another Fisk student. "We did not want people to think we were trying to take over. But it is a moral issue. We want to be treated equally."

Between 300 and 400 Negro students at Tuskegee Institute marched two abreast on the sidewalk around the square in Tuskegee, Ala., carrying placards appealing for voting rights and civil rights in general. Tuskegee is 40 miles east of Montgomery.

The demonstration was orderly except for one scuffle between a Negro student and a white mechanic. They were separated quickly. Both were arrested on charges of disorderly conduct and affray and later released under $50 bond apiece.

Five Negro youths were arrested in downtown Chattanooga, Tenn., by police alerted to head off racial demonstrations. Four were charged with loitering and a fifth with carrying a leaded cane.

Thirteen white students, seven of them seniors, were expelled from Notre Dame High School for going into downtown Cattanooga. The principal, the Rev. J. Driscoll, said none of the expelled youths took part in any demonstrations, however. He said they simply violated his order not to go downtown.

Three white youths grabbed a placard from a Negro picket in Shelby, N. C., broke the sign in two and struck the picket several times with the broken staff. The youths then kicked the Negro. Police quickly broke up the scuffle but no arrests were made.

About 30 University of Wisconsin students picketed two downtown variety stores at Madison, Wis. The demonstration was orderly and business went on as usual in both stores.

A leader of the group, Richard Wands of Fargo, N. D., said the picketing was inspired by Southern sitdown demonstrations started by Negro students about three weeks ago in Greensboro, N. C.

NEGROES PRAY IN RALEIGH

Integration Front Is Quiet After Flurries in Florida

By United Press International

An uneasy quiet prevailed on the integration front Sunday following a day-long series of racial disturbances that erupted in Florida.

Negro college students gathered Sunday morning on the steps of the state Capitol in Raleigh, N.C., for a prayer meeting as part of their protests against segregated eating facilities.

About 275 young students — dressed in their Sunday best—listened to prayers and sang hymns during the half-hour long services conducted by a fellow student. The meeting was sponsored by "The Intelligence Committee" of the Shaw University student body.

The leader of the meeting, who did not identify himself, said, "we have come a long way but we have a long, long way to go." He compared the plight of Negroes in the United States to that of the children of Israel in Biblical times. He said the Israelites appealed to God for justice, "but in addition to appealing to God, the people had to rise to action."

The orderly demonstration in Raleigh was a marked contrast to Tallahassee, Fla., where police used tear gas Saturday to break up a March by Negro students demonstrating against segregation.

However, Tallahassee police Chief Frank Stoutamire reported that the Florida Capitol was as "quiet as can be" Sunday morning and said he expected no further trouble."

Stoutamire said he went to the campus of Florida A&M University, a Negro institution, and "saw nothing brewing there."

Tear gas was used late Saturday afternoon to disperse Negro students who were marching on downtown Tallahassee. Police cars blocked the road and highway patrolmen, sheriff's deputies and city police lobbed tear gas shells into the group.

Gov. Leroy Collins directed the president of Florida A&M University to keep students on the campus. He then called a hurried meeting with city, county and state law enforcement authorities.

Following the conference, Collins said the group agreed "tension had mounted to the point of eminent serious disorder and danger" in the downtown area of Tallahassee.

Tallahassee police had arrested some 30 white and Negro stuents earlier in the day during a "sitdown" at a downtown dime store lunch counter.

Groups of Negro students then congregated and began marching and demonstrating in the downtown streets. The marchers were met by a group of white men and angry words were exchanged.

The Negroes turned back and then re-assembled later in the day when their march was broken up by the tear gas attack.

In Jacksonville, Fla., eight Negroes also staged a brief sitdown in a dime store, but left when warned by policemen they would be arrested if they remained.

Negro students staged sitdown protests Saturday in Newport News, Va., at segregated lunch counters in five downtown stores which promptly closed the eating facilities. There were no incidents or arrests at the stores. Several of the lunch counters re-opened after the Negro students left.

Sixty-to-75 Negroes were involved in the demonstrations which have become almost-daily occurrence at stores in Newport News, Hampton, Norfolk and Portsmouth, Va.

Racial Gunfire In Miami. Crosses Burn In Indiana

By THE ASSOCIATED PRESS

A husky Negro who slapped a white girl's face after their cars brushed bumpers was in jail in Miami, Fla., today charged with nearly touching off a race riot.

More than 20 carloads of police armed with riot guns and tear gas rushed to the scene, where white and Negro neighborhoods meet, to disperse a crowd of 200 persons.

Police said the 200-pound Negro Morgan Junior King, 25, slapped the face of Theresa Mahoney, 19, fought with her escort and then tried to flee when two unidentified white men leaped from another car and fired two shots at him. The white men sped off. Others in the crowd grabbed King.

King was charged with inciting a riot, reckless driving, vagrancy and aggravated assault.

A 63-year-old white minister campaigning against segregation on a Negro college campus at Marshall, Tex., was picked up and carried bodily to jail after he laid down on the grass to avoid accepting a warrant. He is the Rev. Ashton Jones of Los Angeles who travels the nation in a bus on which placards depict a white and a black hand clasped together.

In Nashville, Tenn., Charles Edward Wright, an 18-year-old Negro, was arrested for breach of peace on a charge by a 16-year-old white girl that he tried to date her. And three Negro students at Fisk University said four overall-clad white men threatened them when they sought and were refused service at a bus terminal lunch room.

There was no trouble in Chattanooga, Tenn., where 15 Negro students staged a brief sit-in at an F. W. Woolworth lunch counter. Street fighting had followed Negro demonstrations there several weeks ago.

A four-foot cross was burned on the lawn of a Negro family's home in a predominantly white Indianapolis, Ind., neighborhood. "I was surprised. I didn't know what to think", said Joseph M. Howard of the first incident since his family moved into the home in January.

New Negro protests were staged in Columbia, S. C., while 57 demonstrators were convicted at Rock Hill and Orangeburg of breach of the peace for previous demonstrations. At Columbia, Negroes marched through downtown stores, presented a petition to Mayor Lester Bates and staged a brief sitdown in a library reportedly already integrated.

Some 100 students teachers of New York's State University College of Education marched through Oswego bearing signs protesting segregation in the South.

The National Assn. of College and University Chaplains, meeting at Amherst, Mass., voted unanimous support for student demonstrations "toward the achievement of full citizenship with dignity."

Joske's department store in San Antonio, Tex., closed two of its three restaurants again in the face of new Negro attempts to be served. A basement cafeteria was integrated last week.

The National Council of Protestant Episcopal Church rejected an Alabama bishop's protest against an official church report expressing sympathy for Negro sit-down demonstrations. The Rt. Rev. Charles C. J. Carpenter, Episcopal bishop of Alabama, had asked the council to repudiate the report but the council endorsed it.

Klansmen Picket Home, Protest Mixed Housing

By the Associated Press

Ku Klux Klansmen picketed the mansion of a wealthy Georgia real estate dealer who rented an apartment in a white Macon neighborhood to a Negro family.

The realty dealer, Chester Burge, marched out of his home last night with a pistol, but police sent him back with a threat to arrest him for carrying a weapon.

Klansmen carrying signs saying "Protect your property" and "This could happen in your neighborhood" attracted a large crowd of spectators in the swank Shirley Hills section.

Lee Davidson, Georgia KKK grand dragon, said the demonstration was aimed at persuading Mr. Burge to move the Negroes out of the two-unit apartment where they live alone in a poorer section of the city.

Sitdown Expected

On Austin, Tex., sitdown demonstrations were expected today after white and Negro students set up a mile-long picket line in a seven-block area yesterday. The picketing followed failure of an attempt to end lunch-counter segregation by negotiation.

At Tuskegee, Ala., a Negro leader sought to allay fears of white politicians that they might lose control in Macon county, where Negroes outnumber white residents, 6 to 1. "The idea that our people want to take over the government is simply not true," said Charles G. Gomillion, president of the Tuskegee Civic Association and faculty member of Negro Tuskegee Institute.

Negroes Get Hearing

A spokesman at another Negro school, Fisk University at Nashville, Tenn., said 90 per cent of the faculty had voted to ask President Eisenhower for an FBI investigation of the April 19 bombing of the home of Z. Alexander Looby, Negro city councilman.

At a third Negro school, Southern University in Baton Rouge, La., 16 Negro students charged with disturbing the peace in recent sit-in demonstrations will seek to have the charges dismissed at a hearing tomorrow. They contend they were denied rights guaranteed by the 14th amendment.

Attorneys for five Little Rock Negroes indicated they will appeal the maximum sentences they drew for participating in a sitdown demonstration. The five, all Philander Smith College students, were fined $500 each and given 60-day jail sentences by Circuit Judge William J. Kirby. The judge doubled the original 30-day jail sentences and $250 fines after hearing the case on appeal from Municipal Judge Quinn Glover's court.

The Mississippi Senate, reacting to last week end's Biloxi riots, voted for a bill making breach of the peace a penalty punishable by a 10-year prison term if anyone is killed or injured in a resulting riot.

Predicts Ill Will

Alabama Gov. John Patterson predicted the new civil rights law will create racial hatred and ill will between the States and Federal Government. Saying he had read the new Federal statute "20 or 30 times and I'm still not certain what it says," Gov. Patterson added that "when a law is ambiguous that means it must first be construed by the courts and our batting average is not so good in the Federal courts."

In Atlanta, crosses were burned at the home of the Rev. Martin Luther King, Negro integration leader, and several others were set afire at nearby Stone Mountain, where knights of the Ku Klux Klan from six Southern States were staging their annual Confederate Memorial Day exercises. Police said a car occupied by white men sped away from the King residence.

Thousands to attempt registration

By CHESTER M. HAMPTON
AFRO Staff Correspondent

ATLANTA, Ga. — The sitdown - against - segregation technique, which has proved to be effective against Southern lunch - counter jim crow, will be used this year to win the right to vote in the South.

Dr. Martin Luther King Jr., president of the Southern Christian Leadership Conference, told a reporter: "If anything is done, it will be before the November elections."

Bayard Rustin, Dr. King's assistant in the SCLC and executive director of the "Struggle for Freedom in the South" with headquarters in New York, said:

"Colored citizens should and will go to registration places by the hundreds and the thousands."

Mr. Rustin made the prediction that sitdowns would be used for voting rights; Dr. King supported the prediction.

* * *

TWO VICTORIES against segregation were won during the past week — one in Charleston, W.VA. and one in Danville, Va.

In Charleston, the Big Diamond Department store announced "eating facilities (are) available to all customers."

Sitdowns had already desegregated the facilities in other local stores. The Mayor's Commission on Human Relations negotiated with the Big Diamond Store to end segregation.

In Danville, Federal Judge Roby C. Thompson gave the city until Thursday to desegregate its public library. The judge did so by granting the NAACP a temporary restraining order against the city to halt the exclusion of colored persons from the library.

* * *

IN OTHER civil rights arenas, arrests and court action continued. In Tallahassee, Fla., a bomb scare interrupted the trial of 12 sitdowners. Judge John Rudd received an anonymous note saying a bomb was about to go off.

He quickly emptied the courtroom of its 250 occupants and police instituted a search —no bomb was found. The students had been arrested while staging a sitdown at Woolworth's.

In Durham, N.C., 50 colored and white college students were arrested integrated but jailed segregated. They were staging a sitdown at the local Kress store.

Seven Duke University students were aiding the sitdowners by taking seats and giving them up to colored students. Police arrested all seven of them and over 40 colored North Carolina College students.

The colored and white students were jailed separately. Their only communion was through singing of hymns until professional bondsmen arrived.

IN SAN ANTONIO, Texas, where many stores desegregated eating facilities when the sitdowns started, a slapping incident jailed a sitdown leader and a white man.

Although the Rev. Earl

Graham Jr. slapped no one, he was arrested when Eugene Nolte, white restaurant owner, slapped him. The incident occurred as the Rev. Mr. Graham led sitdowners at Joske's Church Wagon — which Mr. Nolte is not connected with.

Both were charged with disturbing the peace and released on $25 bond.

* * *

MANAGERS OF four Winston - Salem, N.C. variety stores in dire straits from having their lunch counters closed for over two months, announced they would reopen them this week.

They said the counters will be segregated. Local sitdowners, led by Carl Matthews, are standing by ready to go back into action should the occasion arise.

A little further west, in Charlotte, Dr. Emery L. Rann applied for full membership in the North Carolina Medical Society. He is president of the (colored) Old North State Medical Society.

So far, the North Carolina society admits colored professionals only on a jim crow basis. Dr. Rann said: "I don't see why I should be chosen for inferior membership just because of race."

* * *

IN AUGUSTA, Ga.—Bus integration lasted only a few hours here before police broke it up by arresting 11 of the 250 Paine College students who initiated it.

The students had ridden on all city bus routes without obeying segregation regulations for several hours. When some were ordered to move from the front to the rear seats, they refused.

Some of the white passengers reacted violently. One white man pushed a coed from the seat where she was sitting next to him. Another forced a student to move at knife-point.

When bus drivers parked their buses and called police, 11 students were arrested.

* * *

TAKEN TO the police barracks, the students were charged with disorderly conduct and placed under $30 bond eoch. Local colored citizens furnished bond money.

The bus movement came only after Paine students had tried for several months to get the mayor of Augusta to appoint a bi-racial committee to deal with local segregation problems.

In Savannah, Ga., seven sitdowners were arrested at a local lunch counter by Police Chief Sidney Barnes and his assistant, Charles Weber.

The students were charged with unlawful assembly and disorderly conduct. This was the first time the unlawful assembly law had been employed by police.

So far, 43 sitdowners have been arrested here since the movement started over a month ago.

In the meantime, the City Council hurriedly started pushing an ordinance through which would control boycott picketing of segregating downtown merchants.

* * *

IN DURHAM, N.C., cases were continued until Wednesday for two colored youths and a white man arrested in what was described as a "free-for-all" last week.

Fighting broke out in Walgreen's Drug Store when sitdowners walked in and tried to take seats. Several white persons attacked them and, witnesses say, they tried to defend themselves.

One 15-year-old girl was attacked by a waitress. Police took the girl into custody and released her to juvenile authorities. The waitress was not arrested although police said that when they got there, both were on the floor fighting.

Most seriously injured was Willie Burt, 17-year-old colored youth, who was "beaten savagely," according to Lincoln Hospital authorities. Taken to the hospital from the affray, young Burt did not regain consciousness until the following day. He suffered a brain concussion.

The youths arrested were Columbus Pressley, 17, and Bruce Baines, 18. They were arrested on warrents sworn out by Walgreen's employees.

Garland Glenn, 31-year-old white man, was arrested on a warrant sworn out by a colored youth. All are charged with assault and battery.

The sitdowners were from North Carolina College and from local high schools. Duke University students had previously joined them in picketing demonstrations before stores which had closed their eating places.

* * *

IN CONCORD, N.C. Six Barber - Scotia College students were convicted of trespassing in Mayor's Court and sentenced to 30-days for staging a sitdown at Williams Candy Kitchen April 11.

The sentences were suspended for six months on payment of $25 fines and on the provision that they do not violate trespass laws in the six-month period.

Convicted by Judge Robert L. Warren were: Jesse D. Stanback, Earl W. Ford, Pearlier Pickens, Gwendolyn Dean and Tony E. Ward.

* * *

PETERSBURG, VA. — Sitting in judgement on one sitdown case here, Judge Oliver Pollard was confronted with another.

Judge Pollard's court had been segregated — one side for colored, the other for whites — until he heard the case of Virginius Thornton, charged with trespassing in the city public library.

The defendant's fellow students from Virginia State College ignored the segregation tradition and sat on both sides of the courtroom.

Judge Pollard took no notice of this sitdown and postponed consideration of the other. He gave both attorneys for both sides two weeks in which to file briefs.

Representing Thornton were Samuel W. Tucker, Emporia; Clarence Newsome, Richmond and Raymond J. Valentine, Petersburg. Representing the city, in its effort to keep its trespass ordinance intact, was a three-man legal staff.

* * *

IN GREENSBORO, N.C., waitresses at the Krispy Kreme donut company had a surprise for the sitdowners—they served them. The 11 girls served were local high school students, observers said.

To waitresses, the whole affair was routine. Woolworth's and Kress stores are still being picketed for their refusal to desegregate.

* * *

IN LOUISVILLE, KY., a "graduation ceremony" in the form of a sitdown was held by local citizens who attended a "school for sitdowners" sponsored by the Congress on Racial Equality (CORE).

Len Holt, Norfolk, Va. attorney who conducted the classes, accompained the seven men and women to the Charl-Mont Room in the Kaufman - Straus Department Store. They were turned away by a hostess.

The sitdown classes were held at Emmanuel Baptist Church. Among those receiving instruction in the passive resistance technique were: Miss Carol Adams, Central High School student; Bishop C. Ewbank Tucker, prelate of the AME Zion Church; the Rev. M. M. D. Pardue, Emmanuel Church pastor; the Rev. J. A. Christian, pastor of Ferguson Memorial Presbyterian Church, and two other students.

The state chapter of NAACP branches also held a seminar on sitdown technique during its three-day conference at Plymouth Congregational Church.

Sitwodn classes are also slated for the Highlander Folk School at Monteagle, Tenn. Miss Minerva Brown, a leader in the high school movement at Charleston, S.C., has been named as one of the staff members of the Highlander Youth Project which will run from July 6 to August 16.

* * *

SINCE COLUMBIA College Students Council members sent telegrams to southern governors deploring racial inequity, they have been deluged with hate mail, much of it signed "KKK."

Chief target of the attacks has been student body president William Goodstein. He said the protest telegrams to the South would continue.

The Board of Home Missions of the Congregational Christion Churches and it would give financial aid to students who are expelled from college because of sitdown activity.

The board said it would help them enter colleges where "they will not be victims of discriminatory policies and practices."

Edward White, 18, was elected treasurer of the freshman class at Princeton University. The New Haven youngster is the first colored class officer in the university's 254-year history.

* * *

THE MISSISSIPPI Senate passed a group of bills to smother sitdowns and also discourage colored persons from testifying to the Civil Rights Commission.

The latter bill requires only that one person swear that another had made a false statement before a federal agency for him to be put in jail from six months to five years and fined from $100 to $1,000.

38a 1960

"Children Of God Suffering"

Atlanta Daily World

Pope John Denounces Racial Persecution

Atlanta, Ga. Due 4-19-60

VATICAN CITY (UPI)—Pope John XXIII, in a somber Easter message to the world, Sunday denounced the "evil" forces on earth who persecute their fellow men because of their race, religion or politics.

The Pontiff said it was "indeed sorrowful" that "many of our brethren do not enjoy any kind of freedom, personal or civil or religious."

The Pope, standing on the protected central balcony of St. Peter's Basilica, addressed a crowd of some 200,000 persons who braved a steady rain and huddled under umbrellas in the huge cobblestoned square.

The throng burst into cries of "viva il Papa" long live the Pope following the address, which was carried throughout the world in a score of languages by Vatican Radio and other networks.

EVIL MARS FEAST

He said the joyous feast of Easter was marred by the forces of evil(d declared that his sorrowing ... g was turned to the "children ... God everywhere, suffering because of race' as well as religious or political persecution.

The Pontiff's face appeared to show the strain of an intensive week of pre-Easter ceremonies, the Consistory for the naming of new cardinals - including a Negro — last month and his concern at the unhappy states of many parts of the world Sunday.

His specific reference to those suffering because of race came three days after he gave dramatic evidence of his deep feelings for men of all colors and races.

He humbly washed and kissed the feet of 13 missionary priests, including four Africans, in a Holy Thursday ceremony.

INCLUDES ALL DISCRIMINATION

The Pontiff and Roman Catholic churchmen have spoken out forcefully several times recently against racial persecution, particularly since the recent South African developments. But his message Sunday applied to any part of the world where man is discriminated against because of his color or.

"You are well aware, dear children," he said, "that you experience the fact that this combat still continues on earth.

"We are all present at it and take part in it.

"On one side stands Christ together with His representatives and His followers in the Church, raised up in holiness and brotherly love. And with the Church thus blessed, there abides sound doctrine, truth, justice and peace."

GENERAL

Links Sit-Downs African Boycott

Chicago Defender

ST. LOUIS — (UPI) — The sit-down strikes of Negroes in the south and the boycott by African natives are the results of the same cause, Lester B. Granger, executive director of the National Urban League, said here.

Granger, who is from New York, addressed the 41st annual meeting of the Urban League.

During an interview earlier in the day, he said the Africans' boycott and the sit-down strikers in Dixie were inspired by the Ghandi-like passive resistance movement used successfully in Alabama by the Rev. Martin Luther King.

Granger said it was true that racial discrimination has hurt the U. S. abroad, but he attacked "the tendency to base criticism of America's race practices on their effects overseas."

Speaking before the Urban League, Granger praised the group's work in St. Louis.

Cities Fight Integration

Jackson Daily News

Jackson, Miss.

CHICAGO (AP) — A University of Chicago sociologist, said today the American Negro is becoming more, not less, segregated in large cities.

Prof. Philip M. Hauser, chairman of the University's sociology department and former acting director of the U. S. Census, said the Negro is gradually moving outward toward the suburbs, getting better jobs and education.

Other immigrants did this as individuals and became assimilated he said. But the Negro is moving as a group, taking his segregated ghetto with him.

COLOR PREJUDICE

This results, he said, from color prejudice and the fact that Negroes are arriving in metropolitan areas more rapidly and in greater numbers than did other immigrants.

"Unlike his immigrant predecessors, the Negro is becoming more, rather than less, segregated in American metropolitan areas," Hauser said.

Hauser told an international conference of mayors that metropolitan centers will face a crisis in human relations in the 1960s.

This will result in part, he said, from the fact that though the Negro is fleeing segregated living, other groups want to live in enclaves and are resisting integration.

"The test of our Democratic order," he said, "will lie not so much in a shift from segregated to integrated living, as in the freedom of a person or a group to live either in integrated fashion or in enclaves."

Among those resisting integration, he said, are Catholic national church groups, the Jewish community and some Anabaptist Christian sects.

More than 1,000 mayors from throughout the world are attending the conference to discuss mutual problems their cities will face.

Hauser said that by 1970, 150 million persons, the nation's population, he said, will total 214 million.

But, he told the mayors not to expect huge increases in the population of the cities themselves.

'BLOOM IS OFF'

"The bloom is off the boom for central cities," he said.

Of an expected increase of 30 million in metropolitan area residents, he said, less than 5 million will live in the cities proper.

The population boom and continuing shifts of population, he said, pose great problems in the coming decade.

For example, he said even if juvenile delinquency rates remain the same, "juvenile delinquency during the '60s will increase by 44 per cent, by reason of the increase in the size of the age group alone."

Other problems to be faced, he said, include how to provide transportation and physical services for the spreading population and how to prevent urban decay.

GRAHAM SAYS

'Racial Issue Could Destroy America'

MIAMI BEACH (UPI)—Racial discrimination is one sign of a general moral decay that could lead the United States to destruction, evangelist Billy Graham said last night.

"The race problem in the South has reached the point of no return," Graham told the closing session of the Southern Baptist Convention.

He warned that if Southern Baptists, who outnumber all other denominations combined in the South, fail to provide leadership toward better racial understanding "the next generation could well turn against the church.

"There is presently a form of moral and spiritual cancer which can ultimately lead to our destruction unless the disease is treated and the trend reversed," he said.

"Many American leaders that I have talked to," Graham said, "have serious doubts concerning the nation's moral and spiritual capability to match the challenge of dedicated, disciplined communism."

He predicted, "As the judgment of God came upon Adam and Eve . . .the people of Noah's day. . . upon Sodom and Gomorrah, so the judgment of God is going to fall on America unless the moral direction of the nation is changed radically in the next few months."

Graham was asked for comment on a convention resolution criticizing Roman Catholics as candidates for publice office.

"I don't believe a person should vote for a candidate solely on the basis of religion," he said. "There are other factors that must be considered.

"When, as in a recent poll, it is shown 80 per cent of the Catholics questioned said they would vote for any candidate just because of his religion, that is a situation that is just as dangerous as voting against one solely on the grounds of religion."

NEXT YEAR'S KEYNOTER

Graham was chosen keynote preacher for next year's convention to be held in St. Louis. Dallas was picked as the site for the 1965 convention.

The convention approved a report from its Christian Life Commission calling on Southern Baptists to back the drive of southern Negroes toward voting rights.

"In the light of recent efforts on the part of Negro citizens in many areas in securing equal rights, especially the right to vote, the commission urges our Southern Baptist people to make use of every opportunity to help Negro citizens to secure these rights through peaceful and legal means and to thoughtfully oppose any customs which may tend to humiliate them in any way," the report said.

South Warned To Settle Racial Problems Now

Two leaders of the Indian parliament said Monday the South must solve its racial problem before the U. S. can face the threat of Communism in uncommitted countries.

Prof. and Mrs. J. B. Kripalani warned that Communism's claim that it has no racial argument in non-white nations.

Prof. Kripalani is head of the opposition Socialist Party in India. Mrs. Kripalani is secretary of Prime Minister Jawaharlal Nehru's International Congress Party.

The Indian couple, making their first visit to the South, said the sit-inprotest movement was a "very impressive" start toward solving the racial problem.

"It is a passive resistance movement based on the philosophy of Mathatma Ghandi," said Kripalani. The late Ghandi, a close friend of the Kripalanis, resorted to passive resistance in India's successful fight for independence from Great Britain.

"Without violence you get the sympathy of the neutrals," Kripalani staid. "And that is the tactic the students staging the sit-ins are using."

The Kripalanis, dressed in flowing robes, met newsmen in the education building of the Ebenezer Baptist Church of Dr. Martin Luther King, Jr., who is their host during a two-day visit. The Kripalanis are touring this country on behalf of relief for Tibetan refugees in India.

'Negro Is Restless-Wants To Be On His Own'-Harry Golden

Winston-Salem, N. C. (ANP) --Harry Golden, who likes good cigars, good bourbon and good conversation made comments here last week on the sit down demonstrations and the race problem in the South in general.

Golden is editor of "The Israelite", a paper published in North Carolina that has poked fun at many of the South's traditions and peculiarities with telling effect. As a Jew, he knows something of persecution and sympathizes with Negroes striving for equality in the South.

Here are some of his comments:

"The Negro is no longer lying under the Magnolia tree with his gold tooth shining. He's looking for a ballet master to teach his little girl," Golden began.

"Segregation by statute and ordinance is out.

"As soon as all segregationists recognize this, accept this as reality, then they may ask all men of good will to accept other realities--that in some places we won't see all of this in our lifetime.

"The Negro will have less personal association with white men once he becomes a first-class citizen. He will lose most of his white friends...lost most of his white associates. . . . white men will no longer bail him out of jail on the old paternalistic basis. He will be on his own."

Where will the lunch counter demonstrations end?

"Disraeli once said no social reform is possible in the Anglo-Saxon world until the aristocracy says "The time has come."

"The aristocracy today is the people who run our cities--the bankers, industrial tycoons, the big lawyers. One banker and a Chamber of Commerce committee could issue a statement in favor of integrated lunch counters, and this thing would be over."

The "Negro problem" will be solved when "you learn to separate your private lives from your public institutions."

"The South gave the Negro his greatest weapon---Christianity, and he's using it for all it's worth."

"Somewhere we must find a balance between the miracle of science and the miracle of human kindness."

Publisher Says South Driven To 'Secede From Reason'

NEW YORK (AP) — A Kentucky newspaper publisher said recently the integration problem has led the South into a "secession from reason."

Mark Ethridge, publisher of the Louisville Courier-Journal and the Louisville Times, called the situation "one of the great tragedies of our national history."

In a Pulitzer prize memorial lecture at Columbia University, Ethridge said integration rulings have "driven the South—at least those who control the destinies of eight Southern states—into introversion . . .so intense that it feels embattled martyrdom."

"This feeling of being embattled," he continued, "this determination to protect its way of life, come hell or high water, hydrogen world or not, has led the South into isolation which has never been a part of its tradition."

The Southern mood, Ethridge declared, is one of "secession from reason, a secession from the moral conscience of the rest of the country and indeed of the world."

Because of this, he added, the South's "representatives in the Senate and House cannot act with reality."

Ethridge received the third Columbia journalism award, which is given irregularly for "singular journalistic performance in the public interest."

The Kentuckian was cited for the responsible performance of his Louisville newspapers in the absence of local newspaper competition, and for the role of the newspapers in paving the way for peaceful school integration in Louisville.

GOV. COLLINS DECRIES WIDE RACIAL STRIFE

Special to The New York Times.

CHICAGO, Sept. 9—Gov. LeRoy Collins of Florida accused "much of the political leadership of the South" today of having "failed miserably" to meet "problems of racial adjustments."

He declared that too many Southern leaders had "encouraged the erection of barriers to communication between men of goodwill of all races, thus inevitably setting the stage for conflict and disorder."

"They have failed to counsel Southerners to be reasonable, to be patient and, most important of all, to look forward and think and act constructively," he told a luncheon meeting of the Executives Club of Chicago at the Sherman Hotel.

He declined in an interview to name the leaders he had in mind, but said in the speech:

"Senators, Congressmen, Governors and Mayors too often have been far more concerned with how they would personally come out on election day than with how the nation and the people would come out."

He asserted that "our past failures" did not make him pessimistic because it was out of failure that "great leadership" would arise in the South to overcome "democracy and selfishness and prejudice."

"Our days of political provincialism are numbered," he added.



STAND YOUR GROUND

Carleton Putnam

Keep Up Battle, Putnam Advises

Racial Equality Theory Disputed

BY TRAVIS WOLFE

Carleton Putnam, Washington, D. C., yesterday urged Southerners to stand their ground on segregation.

Mr. Putnam, author of two letters on the subject of racial mixing, was in Birmingham to appear at the Business and Professional Women's annual banquet last night.

"Now is the time to call a spade a spade," Putnam said in his room at the Tutwiler. "You Southerners are afraid of hurting the feelings of the Negro, I think. But kindness, beyond a certain point, ceases to be a virtue."

He said the South has a moral issue "and you've got to take an aggressive stand."

Writer Of Two Letters

Putnam is no stranger to Birminghamians and most Southerners. He wrote a letter to the President in October, 1958, which was widely publicized in newspapers across the country. A second letter in March, 1959, addressed to the U. S. attorney general, was not as widely distributed, although Putnam considers it of more importance than the first.

Putnam said the capacity of the Negro race for Western civilization is inferior to the capacity of the white race and that the Negro is not biologically equal to the white.

"If the South can stand its ground and if we can arrest the integration movement, we begin arresting a much broader movement involving the entire nation," he declared.

Left Wing Drift

"I call this broader movement the left wing drift, or you may call it the Marxism thrust or even communism. But it is a threat to the concept of individual freedom and self-government."

Putnam quoted Adlai Stevenson as saying Tuesday night: "We must give the American Revolution to the world."

"In my opinion," said Putnam, "that statement is like saying we should take the tennis championship from Pancho Gonzales and give it to Eleanor Roosevelt. Mrs. Roosevelt wouldn't know what to do with it."

Putnam said the colonists earned the right to self-government. It wasn't given to them. He emphasized the word "earned."

Virtues Conceded

"The Negro," he said, "is not without virtues. He possesses loyalty, sense of humor, warmth—he is equal in that sense. But his capacity for Western culture is not equal to ours."

Amalgamation of the races would result in the deterioration of our civilization, he said.

Putnam disputed teachers of racial equality. The "fath racial equalization, he said, Franz Boas, American anthro ogist born in Germany in 1858.

"I've read Boas and some of the things he said are ridiculous," he commented.

Negroes, he said, should adjust to our civilization and Southerners should continue their battle to keep the races separated.

Development Long Process

Development of human capacity for self-government is a long process, he said.

Putnam thanked James E. Simpson and the Putnam Letter Committee which was responsible for getting his ideas before the public.

Putnam is a modest New Englander, graduate of Princeton and of Columbia Universities and an aviation enthusiast. He has completed the first of four volumes on the life of Theodore Roosevelt.

At this time he is busy preparing for publication the two letters—to the President and to the attorney general—plus answers to 80 questions on the racial issue.

The 80 questions are based on correspondence resulting from his letters.

The book probably will be called "The Putnam Letters" with "A Warning to the North" as a subtitle. A group has underwritten the project.

Understanding Slow, Delta Leader Avows

DR. NOBLE TELLS ATLANTANS PROBLEMS CULTURAL AND HUMAN

By OZELL FRYER WOOLCOCK

"While science has advanced with seven league boots on almost every front we have made only faltering steps toward understanding people and how they react and get along with each other. Without question, our fundamental problems are not technological but cultural; they are not scientific, but human."

Those were the words which Dr. Jeanne Noble told a most appreciative and capacity audience in Davage Auditorium, Clark College on Sunday, May 15. The occasion was the culmination of the May Week celebration of the Atlanta Alumna, Gamma Zeta and Sigma Chapters of Delta Sigma Theta Sorority.

Dr. Noble, Delta's grand president, speaking on "The Challenge of Change," stated that, "We constantly underestimate the rate of change, we have yet to recognize and accept the social implications of rapid accelerated change."

Of the social implications of change, she cited the gulf which is growing between parent and child; the small amount of progress being made in relationship among people; the rise of juvenile delinquency; the passing of the so-called stable community and the advent of the mobile society. She stated that the city folks have milked the city of its opportunities and treked off to the suburbs. The flight to the suburbs has left the poor maladjusted and minorities in inner city, or core city and created a suburban society of privileged people.

In other phases she stated that "in today's society we hardly cross age lines for mutual association. The child born today is less likely to spend as many as 15 days a year in a home with a person who is more than 20 years older than he. As a result we have a lack of understanding and communication between the generations. Age ghettos also threaten to divide us for between the polarized position of youth and adult lies a gulf of mutual incomprehension. It causes young people to fear growing old, it causes grown-ups to delay (by any process) the natural process of aging. It causes jealousy of youth, disdain and disrespect of "old folk." It not only widens the gulf, it causes turbulence." She made a contrast of this to the East," where aging carries special prerogatives and is venerated and you get food for reflection."

She spoke of the students who are moving away from the mock student organizations such as "powerless" student government.

The brilliant speaker, who is an authority on Human Relations, being an assistant professor of those studies at New York University, stated "I think the "sit-in" demonstrations clearly point up the extent to which youth will commit themselves when there is a real issue that has meaning. Prompted by Negro students and supported by countless whites, these courageous students can hardly be called "generation without a cause." Nor can they be labeled "cool and uncommitted." But what they have demonstrated is that the cause must be real — it must be related to life as it is."

Presiding was Mrs. Cecil L. Edwards, Southern Regional Director. Dr. Noble was introduced by Alumnae Chapter President, Mrs. Sammye Dennis.

SCHOLARSHIP AWARDS

Mrs. Maenelle Dempsey, chairman of Scholarship Awards committee presented Miss Jacquelyn Belinda Stokes, who will graduate from Howard High School in June and is the recipient of the Atlanta Alumnae Chapter's $1,600.00 four-year scholarship; Miss Geraldine Ellis who will graduate from Clark College this June, was the recipient of the $1,200.00 four year scholarship that was given by the Alumnae Chapter; and Miss Joyce Smith who will graduate from Archer High School, received the $100.00 award by way of the alphabetical rotation which involves 11 high schools in the Atlanta area.

It was pointed out by Mrs. Dempsey that during the past ten years, sixten award winners had attended Clark; ten, Spelman; eight, Morris Brown and one, Fisk, all of whom qualified with a better than "B" average.

Miss Stokes, this year's winner, will attend Spelman College.

Others on the program were pianist and organist, Misses Clarence Carter and Gwendolyn W. Grisson, respectively; an inspirational reading by Miss Mary A. Smith, Gamma Zeta Chapter; Mrs. Sylvia A. Jones, soloist; and the Deltarettes, Sigma Chapter, Clark College.

The May Week Committee chairman was Mrs. Lillian R. Pugh. Other members were Mesdames

and Misses Ruth Arnold, Mattie Briscoe, Clarence Lee Carter, Ruby Carter, Norma Campbell, Gwendolyn Coleman, Dr. Pearlie C. Dove, Wynelle Hannon, Eva Martin, Marian A. Mitchell, Clara Johnson, Ruby N. Jones and Anne Wood.

The ushers were Miss Anne Wright, chairman; Misses Cochran, Freddye George, Annie M. Rogers, Margaret Lee, Theresa Ware and Camilla Weems.

The Greek letter organizations were officially represented and [illegible] the platform.

William J. Simmons

Segregation Is National

(Editor's Note: Following is a condensation of an address by William J. Simmons of Jackson, Miss., editor of The Citizens' Council and president of the Citizens' Council Forum, before a student meeting at Elmira College, Elmira, N. Y., May 14.)

RACIAL SEGREGATION is, and has been since the founding of this country, a pervading characteristic of American life generally. The Caucasian and Negro have never been "integrated" in our land. In the South, this is accomplished by social separation of the races. In the rest of the nation, it is accomplished by geographical separation of the races and by various other devices not always openly acknowledged.

The notion has been spread that we in the South, who frankly and openly believe in the inherent right to associate socially with our own kind, are vastly outnumbered. Nothing if further from the truth. A minority has attempted to pin the minority label on the majority.

If a nationwide referendum were held, the vast majority would favor social separation of the races. Northern parents have clearly indicated in public opinion polls that they have almost as little enthusiasm as Southerners for sending their children to schools with large numbers of Negro children.

THEY EQUALLY disapprove of interracial marriages. The same goes for residential integration. Witness the euphemistically named "transitional" neighborhoods in every Northern metropolis with a large Negro population.

To speak of social separation of the Caucasian and Negro races as "un-American" is sheer nonsense. Race preference is as American as apple pie. Except for a few of the most fanatical of the abolitionist leaders during Reconstruction, the idea of mass interracial mixing was totally alien and unknown to our people until the last decade or so, when the pressure groups advocating it came to power. Our "melting pot" mixing of different strains has been confined to white peoples of European ancestry. It has never included the black people of African ancestry.

Look at our armed forces. Until the late lamented "police action" in Korea, every war we engaged in was fought by your racially segregated armies. They did very well. In the War for Southern Independence, both sides did very well. Were our armies "un-American" during a century and a half of eminently successful operations?

THE CLAIM is often made that the young people, especially little children, are without racial prejudice," and if we oldsters would just leave them alone, they would do what comes naturally. . .integrate "without regard to race, creed or color."

The sad fact is, disappointing as it may be to the Progressive Educators, that children come into this world not knowing much about anything, including how to make a living, how to get along with folks, and race relations. They have to learn from their elders, who presumably have had more experience, and are in position to impart some hard earned knowledge. The idea currently being bruited about that children hold views superior to their elders in one of the most complex fields of human relations approaches the ultimate departure from reality.

Of course, children can be taught to integrate. They don't know any better! They can be taught just about anything, including some very bad habits, or some very good habits, depending on who is doing the teaching.

Southern white children are taught at an early age. . .and they seem to learn easily. . .the realities of race relations. They are taught kindliness and forbearance. . .but, they are taught that there is a difference.

Why is the South so opposed to racial integration.

TO US, it seems pointless even to waste time answering the question. We ARE. As far as we are concerned, that is sufficient, and puts an end to the matter. It's like the well-established custom in the North of segregating the Negro, where he is present in large numbers, in all-Negro neighborhoods, and the desire of white Northerners to live in all-white neighborhoods. We don't expect our Northern friends to go into long dissertations to justify to us why they do this. We understand. They prefer it. That's sufficient. It's the best reason in the world, and the one we respect most of all.

To begin with, it's a question of numbers. Let's compare Minnesota and Mississippi, to illustrate the point. Minnesota is the source of much of the pressure for "Civil Rights" legislation to force the South to integrate. Most of her political leaders are "liberal" on the race question. We Southerners wonder why the politicians of this Northern state seem so determined to integrate us. Lots of people from Minnesota come South. They act like other white folks. Mississippi is regarded as the fountainhead of Southern resistance to integration. Her political leaders are rock conservative on the race question.

In Addition to the question of numbers, there is a matter of geographical distribution. The Negro population of the South is largely rural, as is its white population. In the rural areas generally, white and black families are interspersed except in the hill sections, where there are few, if any, Negroes. In the town and cities, Negro neighborhoods are relatively scattered. By contrast, the North has virtually no rural Negro population, and the bulk of its rapidly expanding urban Negro population is strictly confined to a few dense metropolitan centers. In a broad sense, the South is integrated geographically, while the North is segregated. Consequently, the prospect of racial integration in social institutions has an intensely personal impact for the Southerner that simply does not exist for his Northern counterpart.

In The South, especially the rural South, the school house is the social center of the community. School life is an inseparable part of the neighborhood's social activity . . . dances, plays, picnic suppers, flirtings, courtships, fusses and fights . . . all revolve around the school and school grounds. To tell a proud and independent people, with a strong tradition of stubbornness that they must integrate with the Negro race, a race which they know intimately and regard as totally different from themselves . . . and all to conform to some abstract theory . . . is to fly wildly in the face of facts. It's like telling the Jews in Palestine they must integrate with Arabs to please the Southern gentiles. Same principle. . . .

We Hear something referred to in hushed tones of reverence as "Southern moderates." We are told that if the extremists would just quiet down, the "voices of moderation" would speak up, and show us the way out of the wilderness. Very little has been heard from the "moderates" yet, except for a few politicians who've been retired from public office and three or four newspaper editors who seem interested in writing hot copy that will sell well up North. Folks at home don't pay them much attention, though.

UNDER THE Southern bi-racial system, whites and blacks live in an easy-going atmosphere of frank recognition of their respective cultural and racial differences, but with respect for one another. . .

What will be the outcome of the present turbulence in race relations?

Now that the conservative South is mobilized, with its influence deeply rooted in the power structure of hundreds of communities, we believe that the ideals under which our country has grown great will be preserved for ourselves and our children.

And what are these? We believe with our Northern friends that the best government is the least government. We believe in governing ourselves. We believe in the fundamental right of each individual to pursue his own destiny, free from the cold social regimentation of distant authority, but in compliance with the customs and mores of his own people.

Reverse Race Relations In Dixieland This Week

ATLANTA.—(ANP)—Things were topsy-turvey in the South last week.

Negroes were preaching against integration and sit-down demonstrations, whites were conducting kneel-ins at Negro churches, and Negroes were barring whites from movie theatres.

Some of it was in fun, but most of it was serious.

In Montgomery, two white women and a white soldier reversed the church kneel-in procedure started in Atlanta, by attending services at a Negro church Sunday.

Police Commissioner L. B. Sullivan said police were notified of the incident and were investigating but he did not name the white worshippers who attended services at Dexter Avenue Baptist church.

Police believe there was no connection between the soldier and the two white women.

Women "Curiosity Seekers"

A reliable source reoprted that the women were from abroad and were apparently curiosity seekers.

The Dexter church is noted because the Rev. Martin Luther King jr. served as its pastor before moving to Atlanta early this year.

It was King who advocated the kneel-in demonstrations in white churches two weeks ago as another step toward the eventual integration of all activities in the South.

The soldier and two women were not arrested. Police reported there was no disturbance at the church service.

In Jackson, Miss., a Negro minister, Rev. J. W. Jones, offered his services to the State Sovereignty Commission as a member of the volunteer speakers bureau, it was announced by Albert Jones, director.

In his letter, Rev. Jones said:

"I noticed in the papers about a speakers bureau to tell segregation facts. I feel that it is a fine program and I am very proud of it.

"We Negroes who are enjoying the system of segregation in the state of Mississippi should give every ounce of our support to the program.

"There is nothing which has contributed as much to the Negroes' success and welfare, here in Mississippi, as segregation."

Meanwhile in Greenville, S. C., another Negro minister, the Rev. W. R. Fairley of Dallas, Texas, came into town to preach against "sit-in demonstrations, force, agitation, pressure, radicalism, communism and the NAACP."

The Rev. W. R. Fairley arrived Thursday and planned to spend a week in Negro sections here presenting religious programs, passing out literature and playing records over loudspeakers on his automobile.

He is on a six-week tour as "a crusader of goodwill toward all people throughout the Southland."

He said he came to Greenville because he read about racial tensions here.

Negroes Bar Whites

Finally, in Miami, Negroes argued in favor of segregation against whites who favored integration and Negroes barred whites from a movie theatre.

The Miami events, though all were in fun, was part of a workshop being conducted by CORE to teach techniques for breaking the color line.

James Robinson, CORE's national executive secretary, said the three-week workshop began with theory and ends with "direct action" against segregation practices here.

Robinson said the workshop classes are made up of college students from California to New York and include some from southern states.

He said Miami was chosen as the workship's site "because it is an unusually liberal city for the South."

A Southerner Takes A Look At 'South's Obsession'

TODAY IN NATIONAL AFFAIRS

True Friendship Knows No Color Line—Even In The South

BY DAVID LAWRENCE

WASHINGTON

NEW YORK — The publisher of the Louisville Courier-Journal and The Times last week termed the South's resistance to integration "one of the great tragedies of our national history."

Mark Ethridge made the charge while delivering the Pulitzer Memorial lecture at Columbia University Graduate School of Journalism where he received the Columbia Journalism Award for "singular journalistic performance in the public interest."

The publisher noted that many of the segregation leaders are "men who have so much to offer the country if their minds were not paralyzed by a sectional bitterness."

* * *

SO BENT are they on stopping the colored man in his fight for first - class citizenship, said Mr. Ethridge, the integration issue has become an "obsession" with southerners.

The best example of the seriousness of the tragedy, he continued, is the impact on Congress. Southerners in Congress, the publisher pointed out, are so preoccupied with integration that they can't think straight.

* * *

"AN EDUCATION bill hangs in Congress because colored children might sit with white children in some of the classrooms to be provided.

"A housing bill went down to defeat without substitution, with 28 southern representatives voting against it.

"Alaskan statehood was strenuously opposed by the southerners because it would give the Senate two more members who would not be sympathetic to the southern stand.

"It makes a Sen. (J. W.) Fulbright of Arkansas vote for a Supreme Court ripper bill that would in effect tear up the national Bill of Rights, and

"It took the Senate nine months to confirm the President's nominee for head of the Civil Rights Commission."

* * *

THE PUBLISHER opined that segregation is probably the cause for much of the "mess" we're in with countries in the Middle and Far East. "It will certainly, if persisted, bring disaster to our relations with the awakening people of Africa."

"Slavery debauches even our greatest men . . . Monstrous crimes are committed in its name . . .' "

Substitute the word segregation for slavery in the statement made by Abraham Lincoln over 100 years ago, said Mr. Ethridge, and you have the 16th President of the United States "speaking to this generation."

THE DAY OF A Washington correspondent is not always the same. It requires no event of national or international significance to teach a lesson. For, as Thomas Gray wrote in his famous elegy, truth is often to be found "far from the madding crowd's ignoble strife."

It took the greater part of the day to get there and back—to a little church in the hills of Virginia where were gathered the family and friends of Jim Taylor, a Negro who died last Friday at the age of 74. Until retirement two years ago, he had worked for 15 years on the farm where this writer lives in Virginia. To the outside world this fine man may be like millions of others—a good Christian whose kindliness of nature and simple ways earned for him the respect and esteem of all who knew him.

As the eulogies were spoken by the two Baptist preachers, who took turns explaining to the anguished wife and children what the passing meant, there came to mind a contrast. Only the day before, a useless man was put to death in a gas chamber in California. Around the world the editorials denounced America and our system of justice. British newspapers particularly complained with a scathing bitterness that America had been inhumane.

THERE CAME TO MIND, too, the "inhumane penalty" paid over the past 12 years by the 17-year-old girl sexually assaulted by Caryl Chessman. She still is in a mental institution and may spend the rest of her life there.

The simple words of the preachers in the Virginia church expressed nobly the facts of life and death as they concerned a good man, a useful man, a conscientious and honest worker. But the Jim Taylors never make the headlines.

One preacher told what it meant to be a Christian. He said he was riding in his car the other day when he noticed someone beckoning on the side of the road. He stopped and found an auto in need of a tow. Though headed in another direction, he helped out, and a half-hour later, on his way back to his original destination, a tire on his own car went flat. He also sought help on the lonely highway, and someone came to his aid. This, he pointed out, was God's way of recompense to those who perform good deeds in his name.

WHAT IMPRESSED THIS writer was the naturalness and sincerity of the service. Messages of sympathy from friends were read aloud. Spiritual hymns were sung. Readings from the scriptures were explained with interpolations that everyone could understand. It was more than an hour of intimate and informal contact between the pulpit and the mourners—something this writer had never before witnessed.

There were perhaps 40 persons in the little church. I asked a Southern senator on Capitol Hill whether in the South attendance by white persons at such services was frequent. He said it often happened and that there was a deeper feeling of friendship for individual Negroes than might be generally supposed from reading the emotional outbursts in the North in recent months about the segregation controversy.

What really is this friendly feeling for the Negro? As one reads the intemperate comments about "racism," there comes the disheartening feeling that many things are said in anger that are regrettable. For the true Southerner does care about the Negro. Talking with many people from the South, one finds that they have throughout their lives felt closer to individual Negroes than is generally believed. It is true that this is sometimes scorned as a "master-and-servant" relationship. But the deep-seated feeling, the willingness to help when sickness and trouble come, the benevolence that reaches out long after the worker has gone to another city or to another task — this could hardly be predicated alone on a "master-and-servant" concept.

THE OTHER DAY, when news came of Jim Taylor's death, a white lady in the neighborhood, who had known him for years, burst into tears. I watched her cry. She had been born and raised in the South.

Human friendship knows no color line. Those who are striving to see reason rather than emotion applied to the maintenance of social customs and individual rights and ways of living have never allowed their feeling for persons of a different race to be marred by the exhibitionists who want to repeal the normal laws of association and thus unwittingly bring about more instead of less friction.

The epitaph of Jim Taylor in this country churchyard, as Gray wrote, may "implore the passing tribute of a sigh," and could be inscribed in these words:

"Here rests his head upon the lap of earth
"A man to fortune and to fame unknown;
"Fair science frown'd not on his humble birth,
"And friendship marked him for her own . . .
"He gave to mis'ry all he had, a tear,
"He gained from heav'n ('twas all he wish'd) a friend."—©.

3,000 Hear Thurgood Challenge Clark, Trenholm

'They Must Stand Up and Be Counted'

By MARCUS NEUSTADTER JR

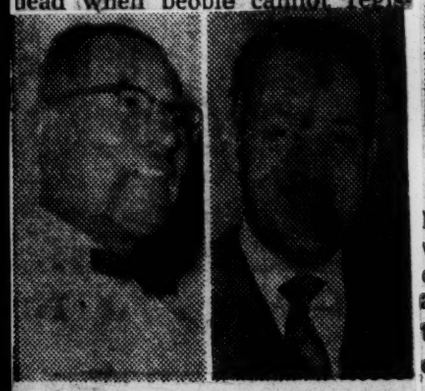
NEW ORLEANS—"They must stand up and be counted," roared Thurgood Marshall and Judge Myles Paige here as they fired broadsides at a pair of embattled college presidents.

Thunderous applause supported the speakers as they lashed out at stands taken by Dr. Felton G. Clark of Southern U. and H. Council Trenholm of Alabama State College with respect to the sit-in situation.

Marshall's address was delivered before a mamoth public meeting before over 3,000 people which closed out the 14th annual Southwestern Regional Convention of Alpha Phi Alpha Fraternity which was jointly sponsored by the NAACP.

■

HE ASSERTED "Democracy is dead when people cannot register a protest. Protesting is one of the pillars upon which our country was founded.



Judge Paige Atty. Marshall

"If American citizens can picket the White House in the nation's capital, they have the right to picket any other building in any other city or state.

"These young people are saying, "We are not happy, we are not satisfied, we want everything others have—including dignity.

Mr. Marshall then pledged that no politicians, no policemen, no university presidents are going to take advantage of these students.

He said, commenting on the stand taken against sit-ins by certain college administrators, "now is the time for them to pratice what they have been teaching through the years."

In his address delivered on the Dillard U. campus, Judge Paige, who hails from Brooklyn, N. Y., declared, "These young people are not willing to wait 94 years to do the things they desire and enjoy the privileges they are constitutionally and morally promised."

■

THE THEME of the conference was "Alpha Phi Alpha Meets the Challenge of Full Citizenship in Today's World."

Marshall also spoke of his recent trip to Africa, predicting that the Union of South Africa will fall and declaring "Africa is on the march for freedom."

He then counseled, "Be not ashamed to say that we are impatient. There is nothing wrong with saying we are impatient for we know that our fight is a righteous one—freedom in the United States is not merely freedom from slavery, but the freedom to walk with dignity."

Students Answer Alabama Governor

MONTGOMERY, Ala.—In reply to Governor Patterson's statement that he didn't know what Alabama State College student protester's want, the executive committee of the Student Movement declared: "We want stopped the humiliation of the president of our college who has been ordered around as though he was a hired hand."



Dr. Clark Dr. Trenholm

Urge Editors To Change Treatment Of Race News

NIAGARA FALLS, Ont. (UPI) — Newspaper editors were asked here Tuesday to re-examine their treatment of matters involving racial bias.

The suggestion was made by Elmer A. Carter, chairman of the New York State Commission against Discrimination, at the closing session of a two-day convention of the New York State Society of Newspaper Editors.

Carter was a member of a panel which discussed "newspaper responsibility in discrimination and bigotry."

He said most newspapers were not enthusiastic about a proposed bill prohibiting discrimination in private housing, which was defeated in the New He also asked these newspapers to review their stand.

Another panelist, Gen. Clinton F. Robinson, president of the Carborundum Co., Niagara Falls, said there should be less discrimination against groups, but more on an individual basis.

"I ought to have the privilege to select my own friends on my own standards and there ought to be discrimination by Negroes among themselves," Robinson said.

At a conference, editors unnanimous approved a resolution to encourage passage of a libel law in New York State. The resolution was introduced by David Starr, associate editor of the Long Island Daily Press.

38a 1960 GENERAL

Ethridge Sees South Isolated

Publisher Blames Segregation Fight

NEW YORK (UPI)—Publisher Mark F. Ethridge said Thursday that the South's unyielding and unreasoning resistance to desegregation has driven it into an isolationism so intense that it feels an embattled martyrdom.

"This feeling of being embattled, this determination to protect its way of life, come hell or high water, hydrogen world or not, has led the South into isolationism which has never been a part of its tradition, which indeed is a manifestation of recent years," Ethridge said.

Ethridge, publisher of the Courier-Journal and the Louisville Times of Louisville, Ky., delivered the fifth annual Pulitzer Memorial Lecture at the Journalism School of Columbia University.

LEGISLATION CLOUDED

He later received the third Columbia Journalism Award of the University's Graduate School of Journalism for his "important role in providing intelligent and comprehensive news linked with editorial policies of responsible liberalism, courage and fairness."

In his lecture, Ethridge said that the whole field of national legislation has been clouded by the South's attitude toward desegregation.

"An education bill hangs in Congress because Negro children might sit with white children in some of the classrooms to be provided," Ethridge said. "A housing bill went down to defeat without substitution, with 28 Southern representatives voting against it."

SECESSION OF MIND?

"I think there emerges a pattern of insularity and isolationism, a secession from reason, a secession from the moral conscience of the rest of the country and indeed of the world that is giving men of color—who far outnumber us whites — their civil rights, their right to be free and to share fully in the bounties of civilization," he said.



(Staff Photo By Nettles.)

FRANK R. AHLGREN, RIGHT, ON VISIT HERE

Memphis Editor With Thomas R. Waring Jr.

Laws Can't Bring Racial Equality, Editor Declares

The editor of one of the South's leading newspapers said here yesterday he believes the South can work out its race problems if left alone.

Frank R. Ahlgren, editor of the Memphis Commercial Appeal, speaks with authority on the race issue. As chairman of the board of directors of the Southern Education Reporting Service, he heads a unique organization which, since 1954, has gathered more news about segregation than any other group in the country. Thomas R. Waring, editor of The News and Courier, is vice chairman of the organization.

SERS, whose headquarters is in Nashville, Tenn., publishes The Southern School News. Circulation of the segregation fact sheet is now about 3,050, but its voice is bigger than publications with many times that circulation. Newspapers all over the country reprint its articles.

Are sections of the country besides the South utilizing data collected by SERS? Ahlgren said yes. "In fact," he added we've had requests to extend our services to California, Oregon, Colorado and even Illinois."

He admitted that the publication receives criticism. However, it comes from all sides, Ahlgren said, "and that's good.

"We get criticism from Herman Talmadge of Georgia and from Luther Foster of Tuskeegee Institute. To my mind that's an indication we're playing it right down the middle."

A former editor of The Southern School News, Don Shoemaker, outlined the aims of the publication some years ago:

"No adjectives or adverbs," Shoemaker said, "Just tell the news and tell it straight."

The organization's widely scattered reporters have the same instructions to be objective today, Ahlgren said.

"What we want," Ahlgren said "is merely to record developments after the decision by the Supreme Court to abolish separate but equal schools."

Ahlgren describes himself as a states - righter — "thought not in the sense Herman Talmadge or those fellows are."

"I think local government is the best government, because its done with your neighbors," he said.

He believes the South will operate segregated schools for many years.

"You can't, by legislation, say to a group that it will be equal," he said.

As an example of failure of schools in which this was attempted, he cited the necessity of setting up four gradations in a single grade in Washington's "showcase" schools.

He said he had asked representatives of the National Assn. for the Advancement of Colored People why they continue to file suits when there are groups who want to work out the problems peaceably. The reply, Ahlgren said, was that the white community will not yield.

"There's a difference of opinion," Ahlgren said, "as to whether the white community, which represents a majority, should yield to the minority."

Ahlgren came to Charleston with a group of friends from Memphis, on the yacht Wilda III. Others in the party are Mrs. Ahlgren, Mr. and Mrs. Herbert Humphreys and Mr. and Mrs. Robert D. Smith.

F. B. I. CHIEF SAYS REDS INCITE YOUTH

Finds College Students Led to Join in Disturbances All Over the World

By C. P. TRUSSELL

Special to The New York Times.

WASHINGTON, July 17 — J. Edgar Hoover reported today that Communists were attaining alarming success in inciting unsuspecting college youths throughout the world to join in outbursts of violence.

A highly disturbing factor, he said, is that while the students were doing it blindly, they were doing it effectively. He cited the riots in San Francisco last May, in which students played lead roles.

In a report to the House Commiteee on Un-American Activities, Mr. Hoover, the director of the Federal Bureau of Investigation, also recalled student uprisings in Uruguay that marred President Eisenhower's goodwill trip to Latin America. He mentioned also the riots in Japan, staged largely by students, that forced the cancellation of the President's visit to Tokyo.

Mr. Hoover called his report: "Communist Target—Youth."

"Particularly unfortunate," he asserted, "is the fact that many youth and student groups are totally unaware of the extent to which they can be victimized and exploited by Communists." A "sad proof," he said, was found in the Municipal Court at San Francisco last June 1, when Judge Albert A. Axelrod dismissed riot charges against sixty-two of the sixty-eight arrested after mob-violence during hearings by the House un-American Activities Committee.

He said that while there had been ample grounds for conviction in cases involving the sixty-two, mostly college students, the judge called them "clean-cut American students," and turned them loose. Fifty-eight of them promptly signed a statement declaring that they had not been "incited" or "misguided," but were following their "own convictions."

See Communist Line

Mr. Hoover contended that most of the students had actually followed a Communist line, laid down in months of planning, intended to discredit and possibly abolish the House committee and his agency itself.

These plans, the Hoover report indicated, included rehearsals of the defiance that subpoenaed witnesses would stage and of disturbances to be created in the hearing room by planted agitators.

Integration Activity on Upsurge

Deep South Holding Line On Segregation

By the Associated Press

A continuing upsurge of integration activity has stirred in the South since the adoption of stiff civil rights planks by both Republican and Democratic party platforms.

Resistance to integration in the Deep South states of Georgia, South Carolina, Alabama, Mississippi and Louisiana remains generally firm while border Southern states continue spasmodic integration.

NO LUNCH counters have been desegregated in Georgia, South Carolina, Mississippi, Arkansas or Alabama. However, executives of major variety store chains told Atty. Gen. William P. Rogers this week that racial segregation has been ended at lunch counters in their stores in 69 Southern communities.

Other integration efforts include the admission of two groups of Negroes to a previously all - white municipal swimming pool in Charlotte, N.C., and the attendance of a small group of Negro students at four white churches in Atlanta.

* * *

IN GEORGIA, there have been recent unsuccessful sit-in attempts at department store lunch counters in Atlanta and at the State Capitol, the city hall and Fulton County courthouse cafeterias. Suits were filed to integrate the all-white cafeterias.

Florida's first race-mixing at lunch counters occurred quietly Aug. 2 at four downtown variety stores in Miami.

Durham, N.C., recently became the seventh city in that state to integrate lunch counters. The action came on a plan worked out by the mayor's committee on human relations which called for gradual opening up of public eating facilities to Negroes.

* * *

BLOWS were struck in Petersburg, Va., during a seige of sitins to force integration but Negro leaders said the sitins would continue. Forty arrests have paved the way toward a test of Virginia's stiff new anti-trespassing law. However, racial bars were lowered in two chain store lunch counters in Fredericksburg, and at Norfolk, Newport News, Arlington, Alexandria and Fairfax. Richmond has begun serving Negroes at the Greyhound bus terminal restaurant.

In South Carolina there have been counter sitins in Greenville, Spartanburg, Orangeburg and Charleston. The Negroes either were not served or the counters temporarily closed. White spectators roughed up a white man who was with a group of Negroes staging a demonstration at Greenville July 18.

In Chattanooga, Tenn., Negro students were served at seven downtown counters recently. A spokesman for the merchants said Negroes were served under a plan worked out and agreed upon by the seven stores. The plan was the result of work by a ministers' group and the merchants. Similar plans earlier led to desegregation of some lunch counters in Nashville and Knoxville.

Sitins occurred again recently at Houston, Tex., after the state situation remained quiet for about three months. San Antonio has integrated more than 30 eating places but Negroes patronize them very little.

* * *

THE SCHOOL situation is comparatively calm during vacation time but suits for integration are pending in every Southern state.

A school integration crisis seems nearing in Louisiana. A federal judge last may ordered the New Orleans Parish school board to integrate public schools in the fall, starting with the first grades. But several weeks ago a state district court judge issued an injunction prohibiting the board from taking steps to comply with the federal court order.

Virginia's state pupil placement board has approved the application of three Negroes to enter two white schools in Fairfax County in September. In Roanoke, 39 Negro children and seven in Roanoke County, are asking admission to white schools.

Schools in six Arkansas cities are integrated while a suit is pending in a district near Pine Bluff.

* * *

LAST YEAR in Florida two public elementary schools in Dade County were integrated voluntarily and separate suits have been brought seeking to force admission of Negro pupils to white schools in West Palm Beach, Miami, Tampa, Pensacola and Daytona Beach.

Fort Worth, Dallas and Houston are the only major Texas school systems under immediate pressure to integrate.

Houston designated three schools as integrated, but a federal court rejected the plan and called for integration of first grades in all schools.

* * *

UNDER THE North Carolina pupil placement law, there has been some integration in schools of a number of cities, including Charlotte, Durham, Greensboro, Winston-Salem and High Point. This fall, three Negro children are to attend the first grade of a white school in Chapel Hill.

Integrated public libraries exist in several Southern cities, including Atlanta, Little Rock and Charlotte, N.C.

In Petersburg, Va., the public library was closed July 6 when three Negro college students sought service in an area reserved for white patrons.

The Montgomery Advertiser P. 3

Montgomery, Ala.

BY THE ASSOCIATED PRESS

A continuing upsurge of integration activity has stirred in the South since the adoption of stiff civil rights planks by both Republican and Democraic party platforms.

Resistance to integration in the deep South states of Georgia, South Carolina, Alabama, Mississippi and Louisiana remains generally firm while border Southern states continue spasmodic integration.

Gov. Ernest Hollings of South Carolina blames the civil rights planks of both parties for recent racial strife in his state.

The governor said, "Political platforms have no force of law and the reference of both party platforms to sit-in demonstrations does not give them any legal sanction."

No lunch counters have been desegregated in Georgia, South Carolina, Mississippi, Arkansas or Alabama. However, executives of major variety store chains told Atty. Gen. William P. Rogers last week that racial segregation has been ended at lunch counters in their stores in 69 Southern communities.

Other integration efforts include the admission of two groups of Negroes to a previously all-white municipal swimming pool in Charlotte, N.C. and the attendance of a small group of Negro students at four white churches in Atlanta. A bid last week by Portsmouth, Va., Negroes to buy lots in a white cemetery was rejected.

There was a round of sit-in demonstrations at lunch counters in Little Rock, Ark., in early summer but none since.

UNSUCCESSFUL ATTEMPTS

In Georgia, there have been recent unsuccessful sit-in attempts at department lunch counters in Atlanta and at the State Capitol, the City Hall and Fulton County Courthouse cafeterias. Suits were filed to integrate the all-white cafeterias.

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The state court upheld constitutionality of a legislative act giving the State Legislaure sole authority to assign schools as white, Negro, or integrated.

Virginia's State Pupil Placement Board has approved the application of three Negroes to enter two white schools in Fairfax County in September. In Roanoke, 39 Negro children, and seven in Roanoke County, are asking admission to white schools.

Schools in six Arkansas cities are integrated while a suit is pending in a district near Pine bluff.

TWO VOLUNTARILY

Last year in Florida two public elementary schools in Dade County were integrated voluntarily and separate suits have been brought seeking to force admission of Negro pupils to white schools in West Palm Beach, Miami, Tampa, Pensacola and Daytona Beach. All of these involve tests of the 1956 pupil assignment law — the state's principal bulwark against forced integration.

Fort Worth, Dallas and Houston are the only major Texas school systems under immediate pressure to integrate. Houston has designated three schools as integrated but a federal court rejected the plan and called for integration of first grades in all schools.

Under the North Carolina pupil placement law, there has been some integration in schools of a number of cities, including Charlotte, Durham, Greensboro, Winston-Salem and High Point. This fall, three Negro children are to attend the first grade of a white school in Chapel Hill.

INTEGRATED LIBRARIES

Integrated public libraries exist in several Southern cities, including Atlanta, Little Rock and Charlotte, N.C.

In Petersburg, Va., the public library was closed July 6 when three Negro college students sought service in an area reserved for white patrons. Ruling on an injunction seeking desegregation of the library is pending.

Public swimming pools in most Southern states remain segregated, with few suits pending. An all-white public pool in Charlotte, N.C. admitted two groups of Negroes last week and 15 or 20 white swimmers out of an estimated 150 left the pool, asked for and received admission refunds. Parks and recreation officials estimate two public pools has fallen off 50 per cent since the experimental integration move began two weeks ago.

Negroes swam unmolested this week at Miami Beach, Fla. In contrast, a near riot occurred at Biloxi, Miss. in early summer when Negroes tried to swim at a gulf beach area restricted to white persons. Although buses in many Southern cities are integrated, unofficial segregation is maintained voluntarily for the most part.

Negroes in Power Would Retaliate, Race Haters Fear

NEW YORK — Segregationists fear that Negroes, in gaining power, will have violence to retaliate against whites, a group of psychiatrists theorized here.

"Among the reasons for the intense opposition of many white persons to desegregation," they stated, "is the fear that Negroes will gain power and use it for retaliation, aggression, and even role reversal—that is, the fear that the Negroes will become the dominant race and the whites the subjugated group."

Events in the South since the Supreme Court's desegregation decision confirm evidence presented in the report against the likelihood of retaliation of reversal of positions, Dr. Viola P. Bernard, editor of the report, said.

When in rare instances, rioting has occurred, it has appeared to involve "some members of both races whose general proneness for aggressive outbreak is triggered by the racial issue pretext," it was observed.

Rockefeller Talk Scores Segregation

CHICAGO (AP) — Gov. Nelson A. Rockefeller of New York declared Sunday Americans who tolerated racial segregation laws had broken faith with the founding fathers and deserved disrespect.

"We did not found this nation upon any manner of racist concept but upon a basic belief in the individual—his worth, his dignity, his freedom," Rockefeller said.

The New York Republican dealt with the subject of racial segregation in a speech prepared for delivery at a convocation of the University of Chicago Law School.

Rockefeller said that, besides equality before the law, there was "a kind of equality beyond the law."

LAGELY UNTOUCHED

"This touches upon areas of opportunity, health, human relationships largely untouched by explicit statute. The moral issue, ultimately, is a matter of individual motive and intent," he said.

Rockefeller did not criticize any particular area of the country. He said, "There is no part of this nation entitled to say to any other part of this nation: we have achieved perfection in respecting the dignity and equality of all men of all races.

"If, as individuals and as a people, we tolerate false divisions of man against man whether by 'gentlemen's agreement' or by laws enforcing racial segregation; if we tolerate pretensions of superiority by any people, including ourselves; if we tolerate arbitrary barriers against progress by any people, in our own nation or in the world—we shall have broken faith with our fathers, and we shall deserve the disrespect we shall invite."

In his own state, Rockefeller suffered a reversal against legislation he sponsored to curb discrimination in private housing. The Republican-controlled legislature killed the bill this year.

Rockefeller said in a television program taped for broadcast Sunday in New York State that the failure of the antidiscrimination bill was "a sad thing." But he predicted the bill would be passed next year.

Negro Taking Ghetto to Suburbs

Big-City Segregation Up, Sociologist Tells Mayors

CHICAGO —(AP)— A University of Chicago sociologist said Thursday the American Negro is becoming more, not less, segregated in large cities.

Prof. Philip M. Hauser, chairman of the university's sociology department and former acting director of the U.S. Census, said the Negro is gradually moving outward toward the suburbs, getting better jobs and education.

Other immigrants did this as individuals and became assimulated, he said. But the Negro is moving as a group, taking his segregated ghetto with him.

This results, he said, from color prejudice and the fact that Negroes are arriving in metropolitan areas more rapidly and in greater numbers than did other immigrants.

"Unlike his immigrant predecessors, the Negro is becoming more, rather than less, segregated in American metropolitan areas," Hauser said.

Hauser told an International Conference of Mayors that metropolitan centers will face a crisis in human relations in the 1960s.

This will result in part, he said, from the fact that though the Negro is fleeing segregated living, other groups want to live in enclaves and are resisting integration.

"The test of our democratic order," he said, "will lie not so much in a shift from segregated to integrated living, as in the freedom of a person or a group to live either in integrated fashion or in enclaves . . ."

Among those resisting integration, he said, are Catholic national church groups, the Jewish community and some Anabaptist Christian sects.

Discrimination Is A National Problem

From The Cincinnati Post & Times Star

A lot of balance could be restored in the civil rights controversy, if some attention were paid to the remarks of Robert H. Macrae.

Mr. Macrae, who is executive director of the Welfare Council of Chicago, spoke at the White House Conference on Children and Youth.

Discrimination against citizens with darker skins is not a southern problem alone, he said. It is a national problem.

In Chicago, he pointed out, Negro college graduates work as redcaps because jobs in which they could use their training are closed to them. Large numbers of Negro children drop out of school because their parents feel they never will get jobs taking advantage of their education.

No need to go down the list of northern discrimination, from actual segregation of schools and other facilities on through union bars against Negroes, and housing.

It is said, with justification, that in some respects a Negro is better treated South than north. The southerner, from long associations, tends towards a genuine affection for the individual Negro, while resenting Negroes in the abstract. The northerner, on the other hand, is inclined to uphold doing little or nothing to help the individual Negro get an even break.

The Negro obviously get fewer human rights, south than north but a broad principle—equality of opportunity under law—is involved and the difference between south and north is one of degree only. The principle is violated in both areas.

The southerners thus are offended, and rightly so, that they should be considered the exclusive culprit in this argument and that corrective legislation should be aimed exclusively at them.

A little confession would be good for the soul of some of the more vociferous advocates of civil rights in this election year. Times are changing and there is a strengthening drive for recognition of human rights. It would calm tempers and speed progress if both north and south were to admit they still have far to go.

Sociologist Claims Negro Becomes More Segregated, Not Less

CHICAGO —(AP)— A University of Chicago sociologist, said today the American Negro is becoming more, not less, segregated in large cities.

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Among those resisting integration, he said, are Catholic national church groups, the Jewish community and some Anabaptist Christian sects.

More than 1,000 mayors from throughout the world are attending the conference to discuss mutual problems their cities will face.

Hauser said that by 1970, 150 million persons, the nation's population, he said, will total 214 million.

But, he told the mayors not to expect huge increases in the population of the cities themselves. "The bloom is off the boom for central cities," he said.

Of an expected increase of 30 million in metropolitan area residents, he said, less than 5 million will live in the cities proper.

The population boom and continuing shifts of population, he said, pose great problems in the coming decade.

For example, he said even if juvenile delinquency rates remain the same, "juvenile delinquency during the '60s will increase by 44 per cent, by reason of the increase in the size of the age group alone."

Other problems to be faced, he said, include how to provide transportation and physical services for the spreading population and how to prevent urban decay.

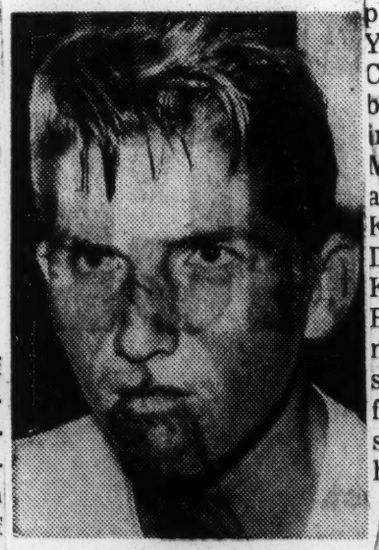
EIGHT STATES SCENES OF NEW RACE TENSIONS

White Youth Attacked in Mississippi

[Chicago Tribune Press Service]

Racial unrest swirled thru eight southern states Thursday with a Negro group beating a white teen-ager in Mississippi, klansmen staging demonstrations and burning crosses in Georgia, and a Georgia school study commission recommending a local option plan on school integration.

In other states tension mounted over lunch counter segregation demonstrations, penalties meted out to demonstrators by courts, and measures by state governments to deal with various aspects of race problems.



Alvin A. Flowers

Attacked by Six

The beating of the teenager took place in Biloxi, Miss., where rioting flared Sunday over an effort by 100 Negroes to swim at a public beach. Alvin Flowers, 17, son of a fisherman, said he was attacked on a deserted street near the beach by six Negroes, from 18 to 21 years old, who drove up in a car and beat him with clubs and strands of barbed wire.

Police said Flowers' face was swollen and his arms and upper body laced with red welts. Flowers said the car driven by his assailants had Louisiana plates.

Also in Biloxi, Dr. Gilbert Mason, Negro physician who led Sunday's swimming attempt, said he had received many threats on his life by mail and telephone but would continue efforts for Negro use of public beaches.

Vote Penalty Bill

The Mississippi Senate reacted to the Biloxi situation by voting for a bill making breach of the peace puishable by 10 years in prison if anyone is killed or injured in a resulting riot.

Klansmen turned out with placards reading "Protect Your Property" and "This Could Happen in Your Neighborhood" to picket the home in a wealthy section of Macon, Ga., of Chester Burge, a real estate dealer. The Klansmen, speaking thru Lee Davidson, Georgia Ku Klux Klan grand dragon, said Burge had rented an apartment building in an all-white section of Macon to a Negro family and that the demonstration was aimed at forcing him to move the Negroes out.

Plan Little Rock Appeal

Burge rushed out of his home with a pistol when the pickets appeared but retired when police threatened to arrest him for carrying a weapon.

A group of 15 Klansmen burned a 12 foot cross on a vacant lot near the Negro section of Waynesboro, Ga.

Attorneys for five Negroes in Little Rock, Ark., said they will appeal sentences imposed for participation in lunch counter sitdown demonstrations. These Negroes originally were fined $250 and given 30 day jail sentences by a Municipal judge but drew $500 fines and 60 day terms on a Circuit court appeal.

Sixteen Negroes due for hearings Friday on charges of disturbing the peace in sitdown demonstrations in Baton Rouge, La., said they will seek dismissal of the charges on the grounds they were denied rights guaranteed by the 14th amendment.

Appeal in Virginia

The Virginia Supreme court was asked to overturn an order of the state corporation commission requiring the National Association for the Advancement of Colored People to open its books and membership lists for inspection.

Breakdown of an effort to end lunch counter segregation by negotiation in Austin, Tex., led to new sitdown demonstrations. On Wednesday white and Negro students set up a picket line a mile long in protest.

A spokesman for Fisk university, a Negro school at Nashville, Tenn., said 90 per cent of the faculty had voted to ask President Eisenhower for federal inquiry into the bombing April 19 of the home of a Negro councilman.

See Further Ill

Gov. John Patterson of Alabama predicted the new federal civil rights bill will create racial hatred and further ill will between the states and the federal government.

The Georgia School Study commission, set up by the legislature to make recommendations for the 1961 session, split 11 to 8 in suggesting submission to voters of constitutional amendments giving local school districts the final say on whether integrated schools should be operated or closed down.

The Georgia constitution now forbids racial mixing in classrooms and requires the governor to close any schools with racial mixing. Eight commissioners said in a minority report no change should be made in these provisions.

Asa T. Spaulding Cites "America's Greatest Need"

A cross-section of Birmingham's influence-heavy leadership heard A. T. Spaulding, president of North Carolina Mutual Life Insurance Company, Durham, N. C. describe the "Moral and Spiritual Values, America's Greatest Need."

Mr. Spaulding, a world traveller and economic goodwill advocate, spoke at a luncheon given in his honor by the Birmingham District of North Carolina Mutual Insurance Company Thursday afternoon at the A. G. Gaston Lounge. He was introduced by Maceo A. Sloan, associate agency director of the N. C. Mutual and Chartered Life Underwriter, also of Durham.

Briefly reviewing the history of the 61-year-old insurance company, the largest in the world operated by the Negro group, Mr. Spaulding said that he was "on a tour of districts" and gave an informal report to "our policyholders" on the role of the company freedom services and productive activities.

He said that the company encouraged its employees to participate in community activities. Meantime intimated that there is some justification for the sit-ins which articulate the sharpened desire of youth for fuller freedom.

V. L. Harris, president of Protective Industrial Insurance Company and vice president of the National Insurance Association brought greetings. The Rev. J. C. Perry, vicar of St. Mark's Episcopal Church gave the invocation and the Rev. J. L. Ware, pastor of Trinity Baptist Church gave the benediction. Frederic L. Ellis, district manager, served as toastmaster.

Mr. Spaulding declared:

"There are still some sovereign states in these United States which would even deny the Negro American the right to 'due process of law' and to carry on, through the established legal channels and constitutional processes, his struggle to rid himself of the shackles which bind him to a state of 'second class citizenship.' Yet, he still believes that under our democratic form of government and the Bill of rights he has greater privileges in theory, and greater promises of the future in fact, than he can find anywhere else."

He added to some in other countries the image of America is that of " a big hypocrite...seeks to dominate smaller nations...does not care about the troubles of people whose skin is yellow is a big tribe of England...a place where Gary Cooper lives. Americans beat Negroes...(who) want to rule the world."

While pointing out this was a distorted and incorrect image of America, Mr. Spaulding asked, "What can and must we do to change this picture." He added that 'the question of civil rights is no longer the Negro's problem; it is America's problem."

Meantime, Mr. Spaulding suggested America "may have placed emphasis on wrong values." He asserted that there was a "failure to place more emphasis on moral and spiritual values, especially since in this day of technology and thermo-nuclear weapons of destruction, moral and spiritual values are the values which the world has the greatest need."

"In the lag of her moral and spiriutal development lies America's greatest danger today," declared Mr. Spaulding. He linked human survival converting the shrunken world "neighborhood" into "a brotherhood."

Dismissing that any idea of the situation being hopeless Mr. Spaulding contended that "power, force, and might alone will not hold people or nations together." He added: "The Christian spirit is the only cement which has sufficient cohesive qualities to do so. Moral and spiritual values are the ones which have spiritual and enduring ingredients."

"If we refuse to secure justice for every individual," Mr. Spaulding said, "regardless of race, creed, caste or color, how can there be complete justice for anybody? If we refuse to make democracy real, then autocracy grasps the throat of democracy and threatens to choke out its life.

"Greatness comes through love," he suggested.

"The nation that is richest in moral and spiritual values will ultimately present the best people to and furnish the leadership for the rest of the world."

Guests listed for seats at the speaker's table were Mr. Harris, Mrs. A. G. Gaston, president of Booker T. Washington Business College; Mr. Ellis, Mr. Sloan, the Rev. Perry, Atty. Arthur D. Shores, president of the Jefferson County Progressive Democratic Council; Atty. Oscar W. Adams, chairman of the Abraham Lincoln Republican Club; Alex Dumar, J. D. Anderson, retired manager of the Albany, Ga., district of North Carolina Mutual, Grady Harris, Manager of the Chattanooga District of NCM; C. W. Crawford, retired, of Montgomery and P. S. Westry, retired.

"So rapid and great has been the advancement of science and technology in our modern world and so slow has been the spiritual and moral progress of man that 'modern man' has become obsolete. The time has now come when man must take the step from 'competitive man' to 'cooperative man' if he is to survive."

"The time for two classes of American citizenship based on color alone has passed."

"Modern advances in the development of communication and transportation and other scientific achievement have brought people of different races, religions, and political creeds into closer contact with others more than ever before The close contacts will of necessity bring about either conflict or cooperation.

"America has many profiles and is many things to many people To the white American she is a great country. Great in conception-all varied in climate; rich in natural resources; superior in form of government and the principles upon which it is founded. Far advanced in the fields of economics, education, political and social development, stupendous in scientific achievements; unequaled in her stadard of living, and unexcelled in her means of production and distribution and her systems of communication and transportation, she is 'sweet land of liberty' with opportunities unlimited."

"To the Negro American, the physical image and estimate of the country are the same as they are to his white brother. The enjoyment of what America is and affords, however, is restricted, as applied to the Negro, and his opportunities are limited in many areas at least in practice if not in theory. Largely because of the badge of color, his 'life, liberty, and pursuit of happiness' are circumscribed."

BETWEEN THE LINES

Segregation called arch-anachronism

By GORDON B. HANCOCK

It was great old Victor Hugo who said that nothing is more powerful than an idea whose time has come. Well may he have added, that nothing is more troublesome than methods, ways and means whose time is past. Webster defines these as anachronisms.

The notion that certain people by reason of their accident of birth are entitled to certain rights and privileges that must be denied to others, is one of these anachronisms. Such are the presumptions of royalty. The recent marriage of Princess Margaret brings this fact into focus.

Royalty is not to be blamed; the people are. The recital of the marriage vividly illustrates one of the most bristling and glaring of modern day anachronisms. The ceremony which the bishop used contained two of these glaring anachronisms.

When that royal assemblage was all set, while an expectant world looked on. the bishop repeated the useless, senseless words "If any man can show just cause why these two persons should not be joined in marriage, let him now speak or else forever after hold his peace."

* * *

THE ARCHBISHOP was, or should have been, reasonably certain that no objections would be raised. Why then inject such question at such critical moment? Let us suppose that some rejected suitor had risen and raised objection, just what would have been the archbishop's procedure?

Suppose the protesting suitor had produced letters and went on to establish his objections, what would the archbishop have done, and above all what would the beautiful Princess and her groom have done in such a embarrassing situation? Supose the objection was a legal one, or even an ecclesiastical one, just how would the great prelate have handled such embarrassing situation?

Just think of the Princess of a once great empire waiting at the altar, while a rejected suitor and the archbishop argued the matter out. In other words had a suitor, or a crank, appeared on the scene with an objection, we would have had a "royal mess."

The bishop might have made the rites more simple by asking the contracting parties at the altar "If either of you know any cause why ye may not be lawfully joined in wedlock ye do now confess it."

This goes back of course to shot - gun wedding days. It is foolish to presume that two persons who had obtained marriage papers and had made great preparation for a great event would come to the altar with objections to the marriage.

The presumption in the premise is that both parties have agreed to wedlock, and if they have not, the wedding floor is a poor place to settle their differences. The point here being made is that anachronisms are awkward things and it is high time that those in high places should know an anachronism when they see it.

To raise the questions above mentioned, is to hark back to days that are gone forever. Just as most clergymen have ceased to use the word "obey" on swearing the bride, ministers should have the courage to use the same common sense in the performance of the nuptials.

Pledging the truth is the important and the most beautiful part of the marriage ceremony and why these two senseless questions should be injected is a matter which progressive ministers everywhere should ponder in the interest of nobler implications. Asking such senseless questions is plainly an anachronism.

Segregation and the implications thereof are anachronisms. As sociologists are agreed that at one stage of human development there may have been a place for some kind of group segregation; but even in primitive times, this was not a matter of color.

Today segregation is outmoded and does not belong to a state of human evolution characterized by electricity and jet planes. The man who stops too long to study color shades is lost to begin with. Was it good old Dryder that once said that "Transplanted human worth will bloom to profit anywhere."

Human worth is the only important question on the agenda of mankind. Color and the accidents thereof are of minor importance in the scale of human worth.

Segregation is the arch-anachronism of the Twentieth Century world.

There Is No "Revolt" Against Negro Leaders

MR. LOUIS E. LOMAX, whom *Harper's* magazine for June introduces as "a New York television and magazine writer," has an article in the June issue of that magazine captioned "The Negro 'Revolt' Against Negro Leaders." The article is particularly relevent to *The National Association For the Advancement of Colored People,* although it includes any organization less than two years old, which also offers leadership in the present crisis.

We draw on a remark from a SHAKESPEARE play to suggest that "Thy wish was father, Louis, to the thought." There are many people who wish the NAACP dead. Among them is *Harper's* magazine, which gives segregationists or their agents space to villify Negroes, but refuses to give Negroes a chance to state the other side.

Shortly after the Supreme Court decision of 1954 this magazine gave Mr. THOMAS R. WARING, editor of the *Charleston (S. C.) Courier* space to give his views on the decision and to add his opinion that no southern people would ever abide by it. We do not have the article before us, but that was the substance of what he said, along with the recitation of the usual professional southerner's opinions of the Negro.

Following Mr. WARING'S article, *Harper's* had requests from the president of one of South Carolina's leading colleges and at least one veteran editor and publisher in the South for a chance to state some of the other side, but *Harper's* said no, it was not interested. It did not say so, but Mr. WARING apparently had said what *Harper's* wanted said.

The article by Mr. LOMAX is so filled with fantastic false-assertions that it constitutes the most venomous slander of a Negro organization and Negroes in general since *Reader's Digest* gave one WARREN BROWN space some years ago to libel the Negro Press.

The Student Protests in five southern states over the segregated lunch counters in a number of variety stores, no doubt accomplished some good. In the broad circumstances created, including the jailing of hundreds of the students, some white and colored people who had not been stirred by the suits instituted and won by the NAACP, were awakened by the spectacularation attending the lunch counter protests, arrests and violence.

Therefore, said Mr. LOMAX from the sounding board given him by *Harper's,* the NAACP and all other Negro organizations trying to bring about a composition of the troubles and to remove second-class citienship "are now dead," They are "too conservative," and their places have been taken by Youth Leaders and their new technique.

The fallacy of such reasoning is that it is so immature, so juvenile, as to make this editorial seem like a waste of space, except for the fact that there are other persons who think just as LOUIS E. LOMAX does, and other segregationist magaines like *Harper's* in the North who would pay them to put their thinking in type.

The NAACP has remained in the bounds of the law in all that it has done. It has won legal victory after victory for citizens who were discriminated against, and its job is not done as yet.

According to Mr. LOMAX, the "new leadership" is "rooted in a theology of desegregation; its major prophets are CHRIST, THOREAU, GHANDI and MARTIN LUTHER KING. And its missionaries are several thousand Negro students who — like PAUL, SILAS and PETER, of the early Christian era — are braving incalculable dangers and are employing new techniques to spread the faith."

Then, the amazing Mr. LOMAX says, with complete disregard of CHRIST, THOREAU and MARTIN LUTHER KING, "It is not an easy faith, for it names the conservative Negro leadership class as sinners along with the segregationists." What nonsense!

We have not seen nor heard any hostility toward the Student Protestors. As numbers of them have been arrested, NAACP members and lawyers have bailed them out, and represented them in court. This has been done as far South as Biloxi, Miss.

We feel that the Student Movement has its place—a very proper place—but we do not feel that it can take the place of a 50-year-old legal organization, nor a younger organization of the ministers, nor of mature labor organizations. All of these, including the students, are needed in the crusade against second-class citizenship.

DESPITE RECENT 'EXTREMISM'

HST Thinks Dixie Heading For Eventual Integration

NEW YORK (AP) — Former President Harry S. Truman says despite the integration crisis, "I think the South is coming around."

In another Look magazine installment of his memoirs, Truman declared in response to questions:

"The Southerners are just as fine a people as you will find anywhere in the nation. And when they come to the conclusion that race and creed and color don't make any difference in what's in a man's heart, then we won't have any trouble.

"I believe a gradual change has been taking place all along. Despite the recent resurgence of stubborn sectionalism and racism on the part of some extremists, I believe the South is heading in the right direction."

Truman discussed numerous issues in the current edition of Look, out Monday. Of President Eisenhower, he said:

VERY GOOD SHAPE

"History will make its assessment of Eisenhower as a soldier and a leader. I expressed my own judgment of him and his military and diplomatic gifts when I appointed him chief of staff and recalled him to organize NATO—the North Atlantic Treaty Organization.

"During the war he co-ordinated the Allies, kept them together and made the historic crossing of that English Channel to invade Nazi-occupied Europe. I think he came out of the situation in Europe in very good shape, no matter what others may think or say.

"But it was Gen. Marshall in my opinion who was the 'brains.' He was the man who really made the military organization work, both in the Atlantic and the Pacific, and this is what brought about victory."

Truman defended the whistle-stop type of campaigning in which he so successfully indulged when he won election in 1948.

WHISTLE-STOP

"In my opinion, the whistle stop and personal appearance campaign is still absolutely necessary, because a man is never quite himself on a television program. He can only be himself when he personally meets people face to face. Only then can they fully understand what a man stands for. In personal appearances he has to be just himself without the benefit of make-up," Truman said.

Asked what future he sees for the Republicans, Truman replied: "The Republicans have to find a program that will be in the best interests of all the people of the country. But I think they're looking in the wrong direction. They won't find it on Wall Street — or even on Madison Avenue."

Didn't Dare Look at White Girl's Picture

Dyed Southerner Learns How Being a Negro Feels

Associated Press.

LOS ANGELES, March 11.—What does it mean to be a Negro in America?

A white Southerner says he learned the hard way—by posing as one.

In an interview with columnist Paul Coates of the Mirror-News, John Howard Griffin, 40, told how he roamed the South for six weeks, posing as a black man in a "whites only" world.

Mr. Griffin, Dallas-born novelist, says he turned himself into a black with pills, ultraviolet rays and dyes. Mr. Coates gave this account:

"Leaving his wife and three children at home in Mansfield, Texas, he walked into the streets of New Orleans to begin a bizarre new life . . .

"He wanted answers—both economical and psychological—that no white man ever found, because no white man can really know what it means to be a Negro . . .

"Mr. Griffin prepared for his masquerade with the help of a New Orleans dermatologist. In an accelerated treatment program of seven days, he was given pills which darken the skin pigmentation and ultraviolet ray baths. His head was shaved to a burr beforehand, and final touches were made with a vegetable dye."

Mr. Griffin, whose skin now again is white, told Mr. Coates:

"The transformation was horrifying. I was inside the flesh of a stranger—and not a pretty one at that. A fierce-looking, bald-headed Negro."

He registered in a Negro hotel, worked as a menial laborer and shoeshine boy averaging $1.50 a day and entered a world, he said, where it was dangerous for a Negro to look at a billboard of a white woman movie star.

Once, the account continued, a woman on a bus asked him: "What are you looking at me like that for?" After he apologized, the woman commented to a stranger, "They're getting sassier every day," and launched a tirade about "uppity niggers."

On another occasion, Mr. Griffin said, he took a bus trip to Mississippi. He described this incident:

As the white passengers filed out for a comfort stop, Mr. Griffin followed—but was stopped at the bus door by the driver who demanded: "Where do you think you're goin', boy?" When Mr. Griffin replied he wanted to go to the bathroom, the driver told him:

"Your ticket's straight through to Hattiesburg. Don't say nothing on it about you getting off this bus before then."

Pointing to the Negroes in the rear, the driver added: "Now you get back there and don't move till we get to Hattiesburg. I can't be bothered rounding up all you people when we're ready to go."

WHITE MAN POSES AS NEGRO TO FIND OUT THE TRUTH

John Howard Griffin, white writer and author of Mansfield, Texas, spent several weeks living and working with Negroes in the deep South in order to know from experience just what the Negro has to face in this country.

With the help of a dermatologist and with the intake of certain pills to darken the skin, Griffin started his masquerade in New Orleans and worked there as a shoe shine boy. Many times he earned as little as $1.50 a day.

In April SEPIA, the first of a series of articles reveals that Griffin was often hungry or thirsty but had to suffer with it because his black skin closed most doors to him.

Griffin experienced prejudices and segregation what only the Negro knows about. He became acquainted with the "hate stare" that came from many whites. He learned to pass a theatre and not look up for fear of seeing a white woman's picture. And he also learned not to speak up to whites because he would have been "sassing" them.

His experience, titled "Journey Into Shame," will touch you as well as shock you. Griffin, in an interview, said no white man knows what it means to be a Negro until he experiences life as a Negro. Live this life with John Howard Griffin as he journeys into shame.

Baptist Minister Says 'Race Difference Imposed By God Must Be Accepted By Man'

MIAMI BEACH, Fla. —(AP)—One of the few controversial issues facing the Southern Baptist Convention meeting has been eliminated by executive committee vote postponing a decision on whether to move some of the convention's headquarters offices out of Nashville, Tenn.

The committee decided Tuesday night to hold off a decision until September.

The denomination has been at odds with the city of Nashville since the city levied a tax on church properties nine months ago.

Recommendations that the committee move some of the convention's agencies to Memphis or Tulsa had been expected as part of the committee's report to the convention. But the 46 - member committee referred the matter to a building subcommittee and asked for another report in September.

The committee has the power to move on its own, but ordinarily would seek convention approval.

Racial extremists of both sides were reprimanded in a sermon opening the four-day convention. Nearly 15,000 persons, including some 10,000 messengers or delegates, were on hand. The messengers represent 31,000 churches with nearly 9½ million members in 28 states.

Dr. Ralph A. Herring of Winston-Salem, N. C., described race as a limitation imposed by God which should be accepted by man. He said man needs to realize that the same creator made men of varied colors in his own image.

He said pride is the fly in the ointment in the racial situation. "The humble heart," he said, "instead of being frustrated by racial differences, with insight and initiative boldly seizes the opportunity they afford to bear a world-wide witness for Christ."

Billy Graham, the evangelist, told a pastors conference, meeting in conjunction with the convention, that he felt concern over what he called a trend in the definition of gifts and the manner in which King reported his speaking fees and expense reimbursements.

Sue for Desegregation of Facilities in Memphis

MEMPHIS (ANP)—The desegregation of Memphis' museums, art galleries, golf courses, tennis courts, playgrounds, parks and boat docks was asked in a Federal Court filed by Negro attorneys.

Named defendants were the City of Memphis, H. S. Lewis, superintendent of the Memphis Park Commission, and members of the Park Commission.

The suit asks an injunction preventing the defendants from operating these recreational facilities on a racially segregated basis.

THE SUIT submits five in-

The 11 plaintiffs consist of four Negro doctors and other citizens.

The suit was filed by A. M. Wil-

Davis Vows Segregation, Takes Louisiana Helm

BATON ROUGE, La., May 11 (AP).—Jimmie Houston Davis became the 41st Governor of Louisiana yesterday in ceremonies that ended the tragic, colorful tem of Earl K. Long.

The 58-year-old country music singer vowed in a brief inaugural talk to make a stubborn stand against racial integration.

"We will preserve segregation," he promised. "We will maintain our way of life without compromise, without prejudice, without violence.

"We will solve our problems on our own terms without interference from those outside our borders."

Other Governors Present

Listening to Gov. Davis' pledge were other Southern Governors, including Ross Barnett of Mississippi and John Patterson of Alabama.

Mr. Long, already making sounds as if he plans to run again in four years, rode with Gov. Davis in the inaugural parade. He stole much of the attention of some 10,000 persons attending the ceremony on the steps of Louisiana's skyscraper Capitol, and of the thin lines of spectators along the parade route.

Wearing a spectacular polka-dot vest, former Gov. Long waved blue and red bandana handkerchiefs and appeared to be enjoying himself immensely.

At his home later, Mr. Long's manner changed quickly.

Ken Siner, United Press International reporter, said Mr. Long struck him and cursed him as he tried to interview him.

Mr. Siner said Mr. Long was seated in a porch rocking chair at his apartment, talking with friends who included a striking redhead.

At he came up, Mr. Siner said, Mr. Long slugged him with his fists, sending Mr. Siner reeling against a banister. Mr. Siner said the former Governor then grabbed him by the shoulders, but friends pulled Mr. Long off.

Mr. Long later said he was no longer a public official and said the privacy of his home was invaded.

Educator Sees Negro Segregation Mounting

CHICAGO, May 12 (AP).—A University of Chicago sociologist said today the American Negro is becoming more, not less, segregated in large cities.

Prof. Philip M. Hauser, chairman of the university's sociology department and former acting director of the United States Census Bureau, said the Negro is gradually moving outward toward the suburbs, getting better jobs and education.

Other immigrants did this as individuals and became assimilated, he sadi, but the Negro is moving as a group, taking his segregated ghetto with him.

This results, he said, from color prejudice and the fact that Negroes are arriving in metropolitan areas more rapidly and in greater numbers than did other immigrants.

"Unlike his immigrant predecessors, the Negro is becoming more, rather than less, segregated in American metropolitan areas," Prof. Hauser said.

Prof. Hauser told an International Conference of Mayors that metropolitan centers will face a crisis in human relations in the 1960s.

This will result in part, he said, from the fact that although the Negro is fleeing segregated living, other groups want to live in enclaves and are resisting integration.

"The test of our democratic order," he said, "will lie not so much in a shift from segregated to integrated living, as in the freedom of a person or a group to live either in integrated fashion or in enclaves. . . ."

Among those resisting integration, he said, are Catholic national church groups, the Jewish community and some Anabaptist Christian sects.

More than 1,000 mayors from throughout the world are attending the conference to discuss mutual problems their cities will face.

Prof. Hauser said that by 1970, the 150 million persons, the Nation's entire population in 1950, will live in urban areas. The Nation's population, he said, will total 214 million.

But, he told the Mayors not to expect huge increases in the population of the cities themselves.

KENTUCKIAN SEES SOUTH IN REVOLT

Ethridge, Giving Pulitzer Lecture, Calls Fight on Integration a Tragedy

Mark Ethridge, publisher of The Louisville Courier-Journal and The Times, declared yesterday that the South's "obsession" with integration had driven it into introversion, isolationism and insularity.

Mr. Ethridge made his remarks in delivering the Pulitzer Memorial lecture at the Columbia University Graduate School of Journalism. The Columbia Journalism Award was presented to him for "singular journalistic performance in the public interest."

In his lecture he called the South's resistance "one of the great tragedies of our national history." It is "a revolt being led by men who have so much to offer the country if their minds were not paralyzed by a sectional bitterness, he declared, and said "it challenges the world with such intensity that its representatives in the Senate and the House cannot act with reality."

The preoccupation with integration, Mr. Ethridge asserted, has clouded the whole field of legislation. He listed these examples:

¶"An education bill hangs in Congress because Negro children might sit with white children in some of the classrooms to be provided.

¶"A housing bill went down to defeat without substitution, with twenty-eight Southern representatives voting against it.

¶"Alaskan statehood was strenuously opposed by Southerners, because it would give the Senate two more members who would not be sympathetic to the Southern stand.

¶"It makes a [Senator J. W.] Fulbright of Arkansas vote for a Supreme Court ripper bill that would in effect tear up the national Bill of Rights.

¶"It took the Senate nine months to confirm the President's nominee for head of the Civil Rights Commission."

Speaker Quotes Lincoln

Mr. Ethridge remarked that "a hundred years ago this month, Lincoln said, 'Slavery debauches even our greatest men * * * Monstrous crimes are committed in its name * * *'. "Substitute a word—segregation — for slavery, and there is Lincoln speaking to this generation."

"This withdrawal has disastrous consequences," Mr. Ethridge declared. "It may indeed be responsible for some of the mess in which we find ourselves in the Middle and Far East; it will certainly, if persisted in, bring disaster to our relations with the awakening people of Africa."

Dr. Grayson Kirk, president of the university, presented the award to Mr. Ethridge for his "important role in providing intelligent and comprehensive news linked with editorial policies of responsible liberalism, courage, and fairness."

Also presented were awards to members of the class of '60, which will graduate Wednesday.

Pulitzer Traveling Fellowships of $1,500 each for study abroad were presented Steve Schatt, Robert Mayer and Carroll V. Dowden.

The $1,000 Robert E. Sherwood Memorial Scholarship for observation of the American political scene was presented to George Watson.

Joseph Lelyveld and Barbara Haddad received Sackett Graduate Awards of $325 for outstanding work in the study of newspaper law.

Richard Kwartler received the Charles M. Lincoln Award and the Charles P. Cooper Red Apple as an outstanding reporter.

Other Men's Opinions

'LIBERAL' CENSORSHIP

(From The Greenville News)

The "liberal" war against prejudice takes strange forms.

For instance, we find in the current issue of "New South," an official publication of the Southern Regional Council, an article which presents "documented" evidence of the denial of the rights of Southern people to read whatever they want to read in their libraries and to see and hear whatever they want to on the television and radio stations.

This article deplores the withdrawal from certain libraries of books which tend to promote integration, by direct or indirect propaganda. It also deplores the refusal of some libraries to subscribe to such magazines as Time, Life and Look which have been variously accused of "distorting" the race issue. With good reason have they been accused.

We believe thinking Southerners should read these publications, if only to see what is being said about and against them. They should read the books which have been written by the integrationists to promote their cause.

It is a kind of an "intelligence," or espionage operation, if we can use that term safely these days.

However, libraries in the United States are still free, as far as we know at the moment, to choose what they will offer their readers. School boards are still free to choose the textbooks that will be used to teach the children of their communities what is right and what is wrong with the society in which they live.

These protests fall flat when one considers their source.

There was no protest from this quarter when radio and TV stations were forced to start censoring classic songs referring to race. They were silent when "Huckleberry Finn" was withdrawn from the libraries of public schools in the North on grounds that it put the Negro in a "bad light," a point we dispute.

And how many copies of Bill Workman's "The Case for the South" will be found on the shelves of Northern libraries or will be recommended as must reading by the militant reformers who adulate Lillian Smith, William Faulkner and the other writers who say, just hold still and take this bitter potion; it will be good for you?

The answer is obvious. It is plain in the article in question. The integrationists know they can obtain their ends only by force. They would suppress the writings of the segregationists, but they cry "foul" and "oppression" when their own propaganda is refused.

The fact is that the Southern Regional Council, which was formed to promote "better race relations," has become just another integrationist organization, a pale carbon copy of the NAACP.

38a 1960

In Atlanta—

The Birmingham News

Home bombed in fringe area

Birmingham, Ala. Thurs. 4-14-60

BY THE ASSOCIATED PRESS

A dynamite bomb was ignited last night in a home recently acquired by a Negro family in a formerly all-white neighborhood of Atlanta.

The Negro family was not at home at the time of the bombing. Neighbors said the family had moved in Tuesday night. Damage was light and no injuries were reported.

38a

NEIGHBORS SAID a group of white youths had pelted the house with rocks Tuesday night. The Negro owner came to the front door, poked a shotgun out and threatened to kill his tormentors if they didn't quit, the neighbors said.

A detective, Capt. R. E. Little, said he didn't think "whoever did this (bombing) tried to destroy the house. I think they just wanted to scare somebody."

The dynamite was placed in a corner of the modern, one-story asphalt shingled house and was triggered with wires attached to an automobile battery several yards behind the house.

In Miami, Fla., Negroes demanding integrated lunch counter service scheduled a meeting today to discuss whether to continue sit-down demonstrations or confer with city officials first.

Such a conference was proposed Wednesday by city officials.

MAYOR ROBERT KING HIGH said the Miami Bi-Racial Committee has agreed to discuss the possibility of lunch counter de-segregation.

Nestor Morales, chairman of the committee, was quoted as saying executives of eight stores had agreed to integrate on a date to be set by the city commission. He later denied having made the statements.

A Negro minister in Savannah, Ga., reported receiving several threatening telephone calls, warning that his life is in danger because he opposes sitdowns, boycotts and other integrationist tactics.

The Rev. James C. McMillan, pastor of Emmanuel Baptist Church, said his wife received similar calls from persons who refused to identify themselves.

McMillan said he turned down offers of police protection

"I'm not afraid," he said. "If these people want to get me, let them come. My wife and I are ready for them."

ELSEWHERE:

Fifteen Negro parents started action in federal court to force integration of public schools of Clarendon County, S. C.

Two Negro girls staged a brief sit-in at a Chattanooga, Tenn., lunch counter last night, but were served standing after police arrived. No arrests were made.

In Amherst, Mass., student leaders estimated at least 300 students will picket the White House and Capitol Friday in an integration demonstration.

Two Jackson, Miss., Negro leaders complained to the state advisory committee of the Federal Civil Rights Commission about alleged racial discrimination in interstate bus and train stations. John Wesley Dixon and the Rev. G. A. Haughton, both directors of the Jackson branch National Association for the Advancement of Colored People, also said in their complaint that there are no tax-supported graduate or advance professional schools for Negroes in Mississippi.

An organization claiming membership among major college institutions in Atlanta issued a statement urging "all persons of good will to refrain from making purchases in any store engaged in discriminatory practices or hiring or serving any segment of the public."

Pope Protests Racial Violence

United Press International

ROME — Pope John XXIII gave an example of Christian humility Thursday by washing the feet of 13 priests representing races from the four corners of the world.

For the first time, Negro and Asiatic priests were included in the traditional Holy Thursday ceremony in the Pope's own basilica, St. John's in Lateran.

THE POPE'S choice of African priests at a time of racial strife in South Africa and the United States appeared to be a protest against intolerance, which the Pontiff often has condemned in sermons. It followed his naming of the first Negro, Filipino, and Japanese cardinals in modern Roman Catholic history.

The pre-Easter ceremony is as old as Christianity itself. The rite commemorates Christ's own act of humility in washing the feet of 12 disciples on the eve of his crucifixion.

L. t. 4-23-60

POPES HAVE performed the ceremony through the centuries with 13 men taking part, although there were only 12 apostles of Christ.

The extra man was added by a sixth Century pope, St. Gregory the Great, who discovered a 13th pair of feet among those he was washing.

Rep. Forrester (Ga.)

The Pittsburgh Courier

Finds N---r Humble But 'Neegro' Is Mad

Pittsburgh Pa.

Sat. 4-16-60

WASHINGTON, D. C. — On page 5357, Congressional Record, March 16, Representative E. L. Forrester (Dem., Ga.) is quoted officially: "I have never had any trouble with a N——r in my life but that 'Neegro' I have had plenty of trouble with him."

The Record hit a disgraceful low; as is usually the case when Dixie solons start verbal attacks against Negroes. During the current session, Senator James O. Eastland (Dem., Miss.) and Representative L. Mendel Rivers (Dem., S. C.) have resorted to use of the word N——r and unbelievable profanity on the floor, according to Clarence Mitchell, NAACP spokesman.

The Washington Bureau of the NAACP urges that a point of order be made when these outrages occur.

Memorandums to that effect have been mailed to Honorable Everett Dirksen, Lester Holtzman, Seymour Halpbern, John McCormick, Lyndon Johnson, Barrett O'Hara, Sam Rayburn and Charles A. Hallack.

'Racial unrest hurts us abroad'—Gruenther

The Afro American P. 5

38a Green

Sat 4-16-60

BALTIMORE

"Racial unrest in America is hurting its image abroad."

Gen. Alfred M. Gruenther, president, American Red Cross and advisor to President Eisenhower, made this statement Sunday at the 46th annual convention of the Archdiocesan Union of the Holy Name Society.

General Gruenther was guest speaker at the convention banquet in the ball room of the Lord Baltimore Hotel.

The soldier - statesman told the 1,000 persons attending:

"I do not think that there'll be a hot war. But the cold, or psychological war will go on for the rest of our lives.

"And the biggest problem we are facing in this struggle for the minds of uncommitted nations of the world is projecting the image of America.

"If we are beaten in this cold war with the Russians, we have had it."

* * *

AFTER HIS address, General Gruenther told the AFRO that the hassle over civil rights and current student demonstrations "are doing this country no good abroad."

The banquet, attended by leaders of government, business and Catholicism, climaxed a busy day for the 1,200 registered delegates of Holy Name.

The convention began with 12:15 p.m. mass at the Cathedral.

Following mass, the program consisted of registration, general session, keynote address, election of Archdiocesan officers and workshops.

New officers of the Catholic men organization are:

William C. Prendergast, president; J. Earl Knott, secretary, and Toledo R. Moseley, Archdicean delegate.

They succeeded:

Frederick L. Dewberry Jr., Dr. J. Alexander Wiseman and George T. Murray.

* *

THE KEYNOTE address was delivered by the Rev. Francis P. Montgomery of the Western Maryland section, hosts of this year's convention.

Eight workshops on various topics rounded out the session.

Claims Racial Upheavels May Bring Races Closer Together

By ROSS M. HAGEN

ATLANTA, Ga. (AP) — This country's racial upheavals ultimately will produce a closer understanding between the races, says the only Negro member of a major city school board in the Deep South.

"We are moving toward acceptance of an individual on his worth —not his color," said Dr. Rufus E. Clement, president of 4,000-student Atlanta University.

Clement, 59, has twice been elected to the nine-member Atlanta school board. Both times he defeated white opponent in a citywide election in which white voters outnumbered Negroes 4-1.

Negroes have been elected to city councils in such Southern cities as Richmond, Va., and Nashville, Tenn., but they were chosen in wards with predominantly Negro residents.

Despite the wave of demonstrations which has rolled over much of the nation the past few weeks, Clement in an interview said there is hope for eventual settlement of differences between the races.

He said the Southern lunch counter protests "show people dramatically the disabilities under which the Negro in America lives. I can see a change in the South in the attitude toward the Negro."

Clement is a soft-spoken, conservatively dressed individual with an outstanding background in education.

He was graduated with highest honors from Livingstone College, Salisbury, N.C., in 1919 and won a bachelor of divinity degree from Garrett Biblical Institute, Evanston, Ill., in 1922. Northwestern University bestowed a master's degree on Clement the same year and in 1930 Northwestern awarded him a Ph.D. He is listed in several books on notable Americans.

He was born in Salisbury, N.C. His father, George C. Clement, was a bishop in the African Methodist Episcopal Zion Church.

Clement taught at Livingstone and served rural A.M.E. Zion churches in Landis and Kannapolis, N.C., from 1922 to 1931 when he became dean of Municipal College, University of Louisville. He was named president of Atlanta University in 1937.

Clement is married and has a daughter, whose husband, Robert Foster, is a physician in Los Angeles.

Of ihs work on the school board he said:

"My experience has been a wonderful one. I know that we are moving in the right direction. I know many fine, outstanding white persons and this convinces me that there must be many, many others like them."

Clement's office is an unpretentious one. From it he oversees the functions of Atlanta University and its four affiliated colleges.

"I got into politics because I felt that Negroes, who comprise one-third of Atlanta's population, needed representation on a policy-making board," he said.

He added that he also wanted to create interest among Negro voters and felt one of the best ways to accomplish this was to provide a Negro candidate.

His formula for political success is simple: "I made myself known throughout the community, presented an intelligent approach to the problen and campaigned actively."

NEGRO HOME IN WHITE AREA IS DYNAMITED

None Injured in Blast in Atlanta

By UNITED PRESS INTERNATIONAL

Investigators cited a "psychological" motive Thursday in the dynamiting of a Negro home in a white neighborhood in Atlanta, Ga., and said the persons responsible meant to frighten the Negroes.

The Negro family moved into the house in a previously all-white Atlanta neighborhood Tuesday. The dynamite blast Wednesday night occurred when the family was away and no one was hurt. The explosion ripped out part of a concrete block foundation and dislodged shingles and siding.

Try to Burn House

Investigators also discovered an attempt was made to set fire to the house. Kerosene had been poured under the house and set afire.

The dynamite was exploded with a length of wire attached to an automobile battery concealed in a patch of woods 100 yards from the house.

The sitdown movement against segregation customs in the south gained momentum Wednesday.

Negroes in Miami, Fla., considered an Easter Monday deadline to begin lunch counter demonstrations and the city commission scheduled a meeting, later next week, with managers of eight downtown stores which operate segregated counters.

Asks Teacher Award

Nestor Morales, chairman of Miami's bi-racial committee, said he would not predict whether store officials would accede to desegregation requests. Mayor Robert King High called a meeting and said, "We're trying to work this thing out in a tension free climate."

The Rev. Martin Luther King Jr., head of the southern Christian Leadership council supporting integration, called on Alabama Gov. John Patterson to insure the protection of teachers who support racial demonstrations. King expressed deep concern over reports of a purge against faculty members at Alabama State [Negro] college in Montgomery, Ala.

He urged Patterson to insure protection against "fantastic charges and to gaurantee a fair trial in the event charges are raised.

Stores Are Picketed

Work of a bi-racial committee in Savannah, Ga., bogged down with a statement by Mayor Lee Mingledorff that "the present feeling of the committee is that certain forward steps... cannot be taken under conditions of mounting tension."

Elsewhere, new sitdown demonstrations, picketing, and boycotts by Negroes continued, Negro students picketed a number of stores in downtown Charlotte, N. C., and pickets continued to march in Petersburg, Va., Richmond, Va., and Greensboro, N. C.

A Negro organization in Petersburg called for a full scale boycott against six stores which have refused to desegregate lunch counters.

White Author "Passes" In South

"In New Orleans, the Negro receives many courtesies from the whites, certainly far more than in any other southern city I visited. But all the courtesies in the world do not cover up the one vital and massive discourtesy — that he is kept in a status of inferior citizenship. He is not a second-class citizen, but a tenth-class one."

John Howard Griffin, the white man who successfully "passed" as a Negro to live in the deep South, tells his story in the May issue of Sepia Magazine. Griffin's article is the second of five copyrighted articles in the magazine.

The articles are arousing world-wide attention and have been widely commented upon in Europe as well as here.

Griffin hitch-hiked, walked and rode buses through Louisiana, Mississippi, Alabama and Georgia as a Negro to secure a first-hand knowledge of life in the South for his articles, "Journey Into Shame" which are illustrated with pictures of Griffin, white, and Griffin, Negro. The author is famous for his books including "The Devils Rides Outside" and "Nuni."

"Despite the courtesies, the Negro is faced with a thousand reminders of his inferior status every day of his life," Griffin writes.

"He does not become calloused to these things, as the white man so easily contends. Each new reminder strikes at the raw spot, deepens his resentment."

"But at the time of the rebuff, he cannot rationalize. He feels it personally and he resents it almost to the point of despair," Griffin comments in Sepia Magazine.

A bus driver deliberately refused to let Griffin (Negro, former white man) out of the bus, ignoring the buzzer and requests, driving him eight full blocks past his original stop. The driver finally tired of the cat-and-mouse game and let Griffin alight.

As a "Negro" Griffin's trade was wooed by white merchants but it took a day to find one who would cash his traveler's checks.

When Griffin approached a "lady ticket seller her otherwise attractive face turned sour with hatred." Negroes, he learned, call this the "hate stare" and it is commonplace in the South.

Griffin's bus ticket took him to Mississippi and a "fellow Negro" gave him friendly advice:

"... they're awful touchy on that here," was a friendly tip. "If you pass by a picture show and they've got women on the posters outside, don't look at them either."

Congress told—

History has lesson for Negro

BY JAMES FREE
News Washington correspondent

WASHINGTON, March 19—Can the Negro minority in this country benefit by the experience of other minority groups that in years past felt they were victims of discrimination?

Sen. Richard Russell (D., Ga.) thinks so. And what he told the Senate on this subject the other day deserves more widespread attention than it got.

THE GEORGIA SENATOR recalled that back in the 80s a strong bias arose in the country against Irish immigrants who were pouring in by the thousands. A new political party—the Know Nothing Party—was formed mainly by anti-Irish elements.

Prejudice was so high that Irish children could not play in the streets of some Eastern cities without being "run in" by the police.

"And what did the Irish do?" Russell asked.

"They proceeded to demonstrate their worth," he said by way of answering himself. "They procedeed to take over the politics, the business, and other interests. . . . Today, no one raises a question about the Irish."

RUSSELL SAID that Italian immigrants faced even greater prejudice, for they had been preceded to the United States by Mafia criminals deported from Italy.

"The Italians," said Russell, "did not seek to have a law enacted to make peopie recognize them and take them in socially. They set about to prove their worth, and they did."

Still another minority worked its way to victory over widespread public scorn, Russell continued. The Mormons were subject to attacks by mobs throughout the West for years.

"The U. S Army was even called out after members of that persecuted religious group made their great trek all the way to Utah," he said.

"Today, if a man finds that he has a Mormon for a neighbor, he feels very happy about it, because he knows that his neighbor is a good citizen and an honorable man."

Sen. Russell's contention is that the Negro minority—or at least most of its leaders—is ignoring the example set by the Irish, Italians and the Mormons.

"The Negro," Russell said, "is the only minority in the United States who has not been willing to work and to strive to earn recognition and acceptance. The Negro race and the Negro race alone has sought to strong-arm and use physical force to secure the right of association from the majority against the wishes of that majority."

RUSSELL'S POINT was that he feels that Negro leaders—and whites who want to help the Negro—would accomplish more by taking the lead in trying to improve conditions among Negroes than by urging "enactment of a law to enforce the right of Negroes to sit down and eat with the white." He had in mind the high crime rate, the narcotic addiction and illegitimacy rates among Negroes.

Alabama Sens. Lister Hill and John Sparkman long have taken the position that the soundest way to improve the lot of the American Negro is to create conditions under which he can better himself economically, in education, in housing and so on.

AND IN COMMENTING ON Russell's speech, Sen. John Stennis (D., Miss.) said that virtually all of the 8,000 Negro schoolteachers in Mississippi are urging this kind of approach. ". . . Self-improvement, gradual betterment, gradual increase in their worth and their earning capacity and their service ability. . . ."

The all too common disposition of Negroes these days is to close their ears to advice from Southern whites. But no Negro who ever knew Sens. Russell, Hill, Sparkman and Stennis would call them racists, or anti-Negro. And at least what they have to say should win respectful attention from the most widely publicized minority group in the nation today, the Negro.

Pope John Denounces Racial Bias

From Press Dispatches

Pope John XXIII, in a somber Easter message to the world Sunday denounced the "evil" forces on earth who persecute their fellow men because of their race, religion or politics.

The pontiff said it was "indeed sorrowful" that "many of our brethren do not enjoy any kind of freedom, personal or civil or religious."

The Pope, standing on the protected central balcony of St. Peter's Basilica, addressed a crowd of some 200,000 persons who braved a steady rain and huddled under umbrellas in the huge cobblestoned square.

The throng burst into cries of "Viva il Papa" (Long live the Pope) following the address, which was carried throughout the world in a score of languages by Vatican Radio and other networks.

He said the joyous feast of Easter was marred by the forces of evil and declared that his sorrowing gaze was turned to the "children of God everywhere, suffering because of race" as well as religious or political persecution.

As the Pope spoke, Christians around the world celebrated the glory of Christ's Resurrection nearly 2,000 years ago, with sacred church and pomp-laden outdoor services.

FIFTH AVENUE JAMMED

For millions, Easter also meant the debut of new spring finery. A million and a half persons jammed New York's Fifth Avenue — turned into a people-to-people mall — for the annual Easter parade.

Weather marred much of the nation's celebration as storms ripped across half a dozen Midwestern states. Snow fell in Iowa and parts of Wisconsin and Illinois.

Despite Communist newspaper criticism of Orthodox clergy, thousands attended Russian church services. One newspaper said priests and monks of the Russian Orthodox Church "still poison the clear Soviet air" and, "Is it not high time to put an end to it?"

WELL-BEHAVED

Christians in other Iron Curtain countries also attended church. In Budapest, the primate of Hungary Josef Cardinal Mindszenty, celebrated Mass in the U. S. legation, where he has lived since taking shelter there in the 1956 Hungarian revolt.

In the Far East, traditional Easter services were held on U. S. bases and broadcast over service-operated radio stations. Christians of many nationalities worshipped side by side in Japan, Korea and on Pacific islands.

New York's Easter paraders were well-behaved and there was almost none of the carnival spirit of some years ago. A strict police order kept commercial advertising and crackpots off the avenue this year.

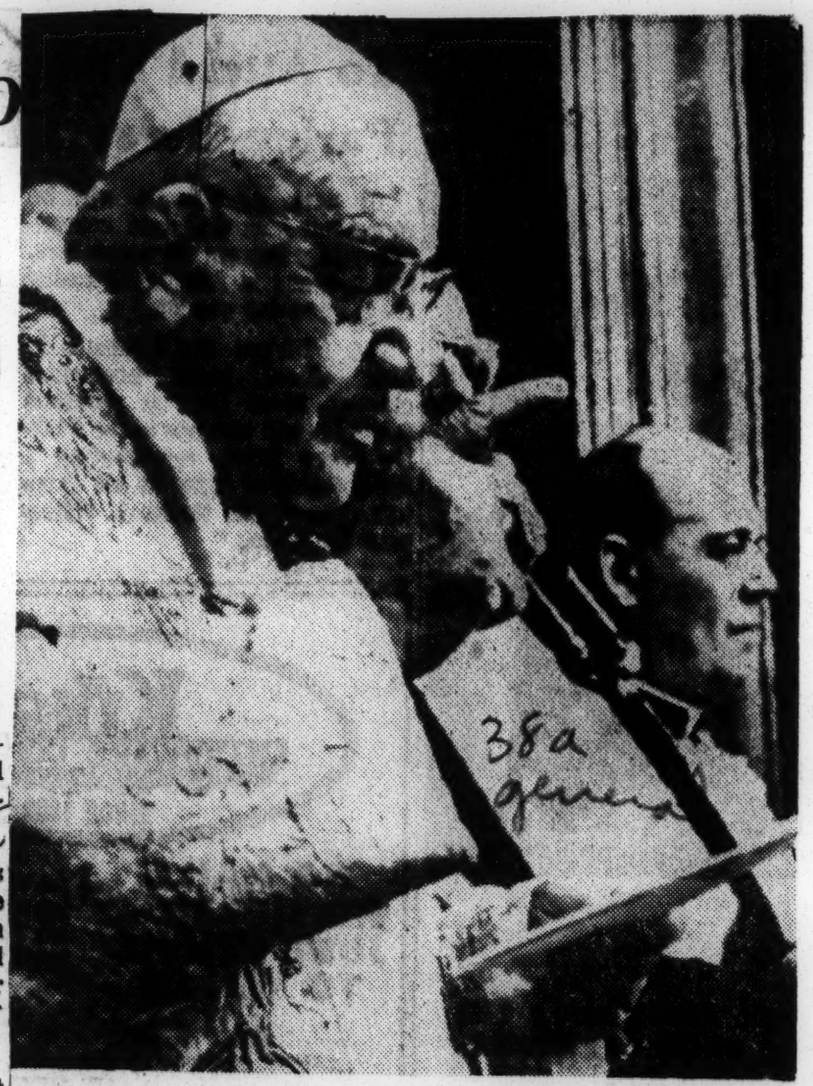
Thousands jammed St. Patrick's Cathedral in New York City to hear Francis Cardinal Spellman celebrate the annual pontifical mass.

The most solemn festival of the Christian world was ushered in with midnight masses and dawn services. Worshippers gathered at an ancient six-story Indian temple mound in Mississippi, at an old Spanish stronghold in Florida, atop Bald Knob Mountain in Illinois, and at Mount Davidson in San Francisco.

The first rays of the rising sun were greeted by white-robed trumpeters at the 40th annual Easter sunrise service in the Hollywood Bowl. About 20,000 persons turned out in clear weather to hear singing by the Lutheran choir and the Children's Living Chorus.

Near Colorado Springs, Colo., more than 15,000 persons sang of the risen Lord in the setting of scenic beauty of the Garden of the Gods. About 10,000 persons gathered in the Red Rocks Park amphitheater near Denver for 5 a.m. services.

Crewmen, who were saved after a Lebanese steamer sank off the coast of Virginia, gathered in a big candlelit church in Norfolk to give thanks for their lives. Their faces haggard and their clothes dirty, they knelt with other worshippers in a pre-dawn service in the Annunciation Church.



Associated Press Wirephoto

POPE GESTURES IN SPEECH TO THRONG

150,000 Hear Pope John XXIII in St. Peter's Square

The Rejected Stone

Alabama's Gov. John Patterson, acting as chairman of the State Board of Education, ordered President H. Councill Trenholm of Alabama State College, against his will, to expel nine leaders of the Montgomery courthouse sitdown protest.

Others have threatened to leave school in sympathy with the ousted nine.

Their careers may be temporarily retarded, but the spark of resistance to segregation will be so inflamed that out of the ranks of these nine young people and their sympathizers will come the heroes, who will overthrow the South's white jim crow system.

Whippings made Harriet Tubman and Frederick Douglass resolve to be free at all costs.

The clerk in a Baltimore bus station, who said there was no drinking water for Kwame Nkrumah except in spittons, stimulated him to lead his homeland to independence and become the first premier of the Republic of Ghana in West Africa.

If Lena Horne stays in the best hotels today, it's because she remembers her beginnings when her colored show was quartered in deserted army barracks.

There isn't a colored bishop today in all of Catholic United States. But there was one once. He was Bishop James Augustine Healy (1830-1900), illegitimate son of a British army deserter in Georgia and a slave girl.

Provoked beyond endurance by racial epithets applied to him and scrawled on the walls of the Quaker school he attended in Pennsylvania, he resolved to outstrip them all.

He did.

He became Catholic bishop of Portland Maine, the first and only American of color raised to this office.

In Alabama, Governor Patterson seeks to do ill to the nine student leaders who protest discrimination.

But it has happened before and will happen many times again.

The stone that the builder rejected becomes the head of the corner.

A Boy Is ... by

Mrs. Maria Mathews, the wife of a Emory College professor, writes in the current Saturday Evening Post on "The Difference Between Black and White" students.

Sympathetically handled and well-written, the article by Mrs. Mathews explains that she sought a teaching job at Atlanta's Morehouse College to make her studv ...

That appears to have been her first mistake.

You simply can't reach any conclusions about integration by conducting a study in a segregated college.

Besides, the question has been answered hundreds of times by surveys conducted in public schools where integration has been the pattern for more than 50 years.

She falls in one more booby trap in reporting that she found more illegitimate boys in Morehouse than "one finds in a comparable white college."

Yet she admits that she does not know how many, if any, of Morehouse College's students are illegitimate and moreover, has no available statistics on illegitimacy in a comparable white college!

Mrs. Mathews is too intelligent a woman not to know that illegitimacy has nothing whatsoever to do with race; that it is purely an economic question. The number of cases of illegitimacy increases as the parents become poorer.

And finally, Mrs. Mathews after a year's study and 5,000 words and five pictures later concludes that one boy is pretty much like any other boy, whether he's a student in a colored college or is enrolled in a white one.

It's rather astonishing that she had not learned that elemental truth long before she began her survey.

White teacher in a Negro college

When Marcia Mathews, stood in front of her class a white Southern woman, of twenty-five Negro boys for the first time, she was suddenly aware of a "united front ranged silently against me." What happened that very first day — and what she learned in the next few months — taught her a lesson she'll never forget!

In this week's Saturday Evening Post you'll read the startling story of this white teacher at a small Negro college. You'll learn what happened when she mixed socially with the Negro faculty . . . why her students didn't want to be called "boys" . . . and about the amazing lesson she learned about "The Difference Between Black and White."

It's a wonderful week in the Post .... 8 articles, 4 stories, many cartoons and exciting photographs

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A CURTIS MAGAZINE

The Saturday Evening
POST
December 5, 1959

MAGAZINE SURVEY

Southern Civic Leaders Say Other Areas More Biased Against Negro

NEW YORK, April 4 (UPI)—Newsweek magazine today quoted Southern civic leaders to the effect that other sections of the United States exploit the Negro in labor and in politics, then deny him white-collar jobs, bar him from better restaurants and schools, and banish him to slums.

A Newsweek survey of civic leaders in 11 Southern states showed a feeling that the South is more concerned with the welfare of the Negro than the North.

In a companion survey Newsweek reported that many civic leaders in states outside of the South are relatively uncritical of the South's response to its more pressing racial problems. Most Northern leaders expressed sympathy for the South. Mostly they want to see the South integrate. But, like the South itself, they feel that ancient social customs cannot be changed overnight and it's perhaps best for the South—as well as Congress—to go slow.

Fairer Shake in South

"The Negro gets a fairer shake in the South because the white Southerner takes a personal interest in him. In the North, they simply don't give a damn about the Negro," commented Ben Fortson, Georgia secretary of state.

Atlanta banker Mills B. Lane said: "The Negro has the legal respectability in the North of not being segregated, but he also has equal or even worse discrimination. Here in Atlanta, he does have land to build a house on, but in major Northern cities like Detroit and Chicago the poor devils only have tenement houses to go to."

The South's basic fear was said to have been bluntly stated by Gov. Orval Faubus of Arkansas, who said: "integration will lead to intermarriage."

Legislation Superfluous

On the question of federal safeguards of voting rights, a widespread Southern view was summed up by Sylvan Meyer, publisher of the Gainesville, Ga., Times and chairman of Georgia's Advisory Committee to the U.S. Civil Rights Commission: "I think civil-rights legislation that has been proposed so far is superfluous. If it is passed it won't do any real good in Georgia because you haven't changed the situation of the poor devil who is just afraid to go to the polls."

The magazine found that moderate Southern leaders are willing to see some progress toward desegregation, as long as it is slow and gradual. "Integration in Tennessee is proceeding at a proper and adequate pace—neither too slow nor too fast. It would be dangerous to push it faster, and we would be asking for trouble to slow it down," said Frank Bass, executive secretary of the Tennessee Education Assn.

White teacher in a Negro college

When Marcia Mathews, a white Southern woman, stood in front of her class of twenty-five Negro boys for the first time, she was suddenly aware of a "united front ranged silently against me." What happened that very first day—and what she learned in the next few months—taught her a lesson she'll never forget!

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The Saturday Evening POST

January 16, 1960

A CURTIS MAGAZINE



SEN. STUART SYMINGTON ANSWERS QUESTIONS AT PRESS CONFERENCE
Chamber Of Commerce President Carl Bear (Left) Listens To Speaker

Symington Here, Skirts Race Issue

By BOB INGRAM

U. S. Sen. Stuart Symington (D-Mo) arrived in Dixie Monday afternoon and immediately tightroped his way through a maze of racial questions without slipping once.

Symington had complained of a bopped up ear as he stepped from the plane at Dannelly Field but his equilibrium was never better when he faced a small army of newsmen anxious to hear him hold forth on matters o race and civil rights.

On all such questions he made like a broken-field runner. He talked at length but said very little.

The closest he came to making a pro-South observation was concerning President Eisenhower's decision to send bayonet bearing paratroopers to Little Rock during the school crisis.

'MOST UNFORTUNATE'

He said he felt the use of "outsiders was most unfortunate."

"I think it could have better been handled on a neighbor-to-neighbor basis," Symington said. "The National Guard could have been federalized or private citizens deputized as federal marshals."

On other questions he was less plain spoken.

Asked about his views on proposed legislation creating federal voter registrars in areas where Negroes are denied the right to vote, Symington replied:

"I haven't studied it yet."

What about the proposed federal anti-lynching law:

"I don't know, I really don't know," Symington said. "It's not that I am trying to be evasive but that matter has not come before any of the committees on which I serve. If it comes up I will listen to the debate and then vote as my conscience dictates."

Asked if he felt integration was being carried out at a satisfactory pace in the South, Symington replied:

"I don't know about Alabama. But the Supreme Court has made its decision and I think the people of the South are just as law abiding as the citizens in other parts of the nation."

Looking to the upcoming presidential race—one in which he is considered to be a major factor—Symington, like a good Democrat, forecast that "any good Democrat" could beat Vice President Richard Nixon, the expected presidential candidate of the Republicans.

"I don't think we want the kind of America that Mr. Nixon's voting record indicates that he wants," Symington said. "The best way to size up a candidate is to look at his voting record and Mr. Nixon has voted against Social Security, against extending the minimum wage provisions, against the REA, flood control and reclamation programs."

Symington conceded that the trips abroad by Nixon has helped the vice president politically but added that "locomotion is no substitute for policy."

WOULD ACCEPT

The Missouri senator continued to be coy about his own candidacy for the Democratic nomination, although he said frankly he would accept it, if offered.

"I am not a candidate, I am not seeking out delegates and asking them to vote for me," he said.

But in the same breath he conceded that he was "more interested" in the race than he was last September when he was interviewed in Huntsville.

While leaving the door wide open for the presidential nomination, Symington slammed it tight on the vice presidential nomination.

"I'd rather be a senator from Missouri than be vice president," he said.

OTHER COMMENTS

Hitting on a variety of other subjects, Symington offered a few other comments about personalities, to wit:

Fidel Castro—"He's getting too big for his breeches."

Paul Butler—"He's my good friend. I hope he and the men around him result in a Democrat being in the White House next January."

Agriculture Secretary Benson—"His is the worst managed department in government, and that's saying a lot.

Harry Truman—"I sure would welcome his support if I were a candidate."

Symington shied off any comment about the action of the State Democratic Executive Committee Saturday in adopting a rule which will permit the state's presidential electors to vote other than Democrat if they see fit.

'GOOD DEMOCRATS'

"I am sure Alabama is going to go Democratic," he said. "You have a great Democratic governor, you have two great Democratic senators, and I'm sure a majority of the people of Alabama are good Democrats. What would they be doing going Republican?"

Quizzed about the outcome of a few golf matches he has had with Vice President Nixon, the senator got a chuckle when he declined to disclose who shot the best game.

"Modesty forbids me," Symington, a better than average golfer, said. "Nixon just took up the game recently, but he has improved a lot."

The question of a man's religion was injected into the conference lightly:

"Senator, do you think an Episcopalian (that's Symington's faith) can be elected President?"

In answer, Symington recalled that there were two plaques in an Episcopal church in Virginia where his forefathers had been members, one serving as an Episcopal bishop.

"One of those plaques honored a member of the church named George Washington, who I believe was elected President," Symington said. "The other was in memory of Robert Edward Lee, who should have been President."

Need For A Manifesto To Congress

A Negro Manifesto, stressing the rights and privileges guaranteed under the Constitution, but systematically denied to Negro citizens, should be submitted to the 86th Congress for action.

The Manifesto would destroy the myth of racial equality which U. S. propaganda machine is trying to present to the world as an actuality.

A "Jazz-bo type artist" like Louis Armstrong, or a "burlesque-type opera" like Porgy and Bess — no matter how talented the artist or sublime the melody—does not overcome the fact that millions of Negroes are denied equality of opportunity in the country.

This is an election year when America must decide its course of future action. If ever the moment is propitious to present the story of our struggle for complete equality in full dramatic force, it is now.

Congress, today, more than any previous legislative assembly since the Reconstruction era that followed the bloody Civil War, is choked full of Presidential aspirants. They should be made to state unequivocally their position on the Negro question.

This is the time to smoke them out and make Congress declare itself once and for all whether full citizenship to the American Negro is to be forever at the whim and fancy of the "White Masters," or settled as an inescapable moral obligation.

Fully a century after the Civil War, the Negro is still on his knees begging and pleading for the fulfillment of the promise of human equality.

It is offensive to decency that Negroes must fight for the right to vote, for the right to pray in the temple of their choice

Equally offensive is the arrogant promotion of the fiction that white America is being benevolent and benign when it grants a few crumbs or minor concessions to Negroes.

Freedom and security, peace and prosperity, whether translated in terms of aid to uncommitted nations, or of an iron-clad system of defensive military alliance, or in terms of balancing the national budget, are without appeal and significance to a people right to equality in employment, for the right to decent housing, for the right to unsegregated education, and even for the relegated to second class citizenship by their own government. In this decade of this century nothing matters more than the achievement of the vision of equality in our own land.

Yet from almost every high place, we are told that we "must not go too fast," we must not fight too hard, we must not press the issue too urgently lest we offend those who cling to the legend that some men are intrinsically better than their fellow men.

Persistent evasion of fundamental issues and high-sounding slogans will not resolve America's racial dilemma, nor heighten its prestige abroad. And liberals, of all people, should avoid taking pride in a civil rights measure which haltingly and falteringly acknowledges that Negroes deserve a small, carefully-limited blessing of freedom. We want our full measure of citizenship, not "half a loaf." On this issue there can be neither postponement nor compromise.

Symington Says Race Problem Exaggerated

Special to The Post-Herald

MONTGOMERY, Jan. 25—America's segregation problem has made bitter enemies for the U. S. in Africa, the Far East and other parts of the world, according to Missouri Sen. Stuart Symington.

Senator Symington, who flew here for a speech before the Alabama Chamber of Commerce tonight, was interviewed at the Montgomery Airport.

"There are two billion colored people in the world and one billion white people," said Symington. "The race problem in the U. S. is being exaggerated by the Communists and has made bitter enemies for America."

Symington, considered a possibility for the Democratic presidential nomination, insisted he was not an "active candidate," but said he would "gladly accept" the nomination.

Vice president? Not a chance, said Symington. "I'd rather be a senator representing my state than the vice president who spends most of his time watching the President's health."

Asked how he stood on civil rights legislation pending in Congress, Symington said "the court of the land has made its ruling. I believe the Southerners are as law-abiding as the people in the rest of the nation."

He said President Eisenhower's decision to send troops into Little Rock to enforce integration was "most unfortunate."

"It could have been handled another way," he said. "The President could have federalized the Arkansas National Guard or deputized local people as marshals so the issue could be discussed without turmoil."

He said the issue of world peace will be the major issue in the 1960 presidential elections.

Other primary issues, he said, will be the general economy ("the price of money goes higher and higher"), agriculture ("The Agriculture Department is the worst mismanaged department in the Federal government"), and education ("Two million children do not have classrooms to get an education").



CANDIDATE? — Missouri Sen. Stuart Symington.

He said "any good Democrat" can beat Vice President Nixon in the presidential race. "The Vice President's voting record shows he has a lack of faith in America. He voted against Social Security, extension of the minimum wage law, REA, slum clearance, flood control, and reclamation."

In his speech, Symington said "more efficient management" throughout the government can build a budget surplus.

He told his audience that "for years, the Agriculture Department has been paying out money to storers of the grain surplus without knowing how much the storage cost."

"We had warehousement before the committee who testified they were making profits as high as 167 per cent a year," he said.

"But the Department neglected even to start cost studies until just a few months ago," he said. "With the value of our government-owned agricultural surplus now approaching $10 billion, think of the tremendous savings which would result from 'management control through cost control' in that department."

Ike urged to speak on integration

NEW YORK — President Eisenhower has been urged to speak up for public school integration when the White House Conference on Children and Youth is held in Washington.

Mrs. Mollie Ilson, president of the Emma Lazarus Federation of Jewish Women's Clubs, in a letter to Eisenhower, called attention to the continued resistance to integration of public schools in the South and the failure to completely integrate our public schools in the North."

Mrs. Ilson suggested that American textbooks be revised to give a more realistic picture of contributions made by colored Americans to the development of the nation.

Lunch Counter Protest Spreads Into Virginia

Atlanta Daily World
Atlanta Ga
2-20-60

RALEIGH, N. C. (UPI)—A wide-ranging Negro student protest against segregated dime and drug store lunch counters drew support Thursday from the National Association for the Advancement of Colored People and spread into Virginia.

The demonstrations left lunch counters in at least six North Carolina cities closed.

In Hampton, Va., within minutes of the arrival of a group of Negro college students at lunch counters, managers closed their facilities.

The "sitdown" protests, which began 11 days ago in Greensboro, N. C., were expected to spread to other cities.

In Raleigh, officials of one drug store erected "No Trespassing" signs at the entrance to the building and lunch counters at two variety stores were converted to display shelves for other merchandise.

Four other Raleigh lunch counters hit by the sitdown strike were reopened Thursday but served only whites.

In Hampton, about 20 Negro students from the Hampton Institute moved into an F. W. Woolworth store and refused to leave their lunch counter stools when they would remain until served but left shortly after the manager closed the counter.

The North Carolina Conference of the NAACP endorsed the movement which also has spread to Winston - Salem, Charlotte, Fayetteville and Durham. State NAACP President Kelly Alexander of Charlotte said "we feel they the Negro students have a moral and human right to eat on an equal basis in a democratic society."

The Congress on Racial Equality CORE, whose white and Negro members have been sent to North Carolina to help guide the demonstrations, announced plans in New York to picket a Woolworth store in Harlem.

At Least 5 States Face Challenge

Journal & Guide
Norfolk Va.
2-20-60

Officials Step In As "Mediators"; Pupils' Rights Cited

In just two weeks, colored college students in at least five southern states have done something three generations of their elders failed to do.

They have brought into broad focus the matter of being given discriminatory treatment in places where they spend their money.

BY SIMPLY sitting down at lunch counters in public establishments selling commodities and services (other than sitdown accommodations for colored patrons) they have focussed attention on the long touchy problem, bringing into being another problem — what to do about it.

A Related Story, Page 1, Section Two

Some attempts at settling what the affected regions feel to be a "vital problem" have been made. Raleigh, N. C., has tried to settle the matter by arresting at least 43 of the student protestors. The Catawba Presbyterian synod issued from Charlotte, N. C., Sunday a statement backing the students. Mayor Marshall Kurfees of Winston-Salem, N. C., has been asked to act as a "mediator" between merchants in his city and "sit down" student protesters from Winston-Salem Teacher college and other institutions in and around Winston-Salem. At Charlotte, Mayor James S. Smith was early this week making moves to bring together both sides in the dispute over segregation at downtown lunch counters.

At several colleges, including the Norfolk Division of Virginia State college, St. Augustine's college and Shaw university, special student groups have been selected to either "study the overall problem" of discrimination or to quarterback the moves of students along the "sitdown" lines.

THE PROTEST drew the attention out side the South with the result that at least one New York store belonging to the chain selected for "sit down" activities was picketed. In another development, officials of the Congress of Racial Equality (CORE) have entered into "negotiations" with the National offices of both the S. H. Kress and F. W. Woolworth companies.

CORE contends that "The management of both companies has expressed the fear that a democratic serving policy will meet unanimous opposition." The organization says the managements have already heard from segregationists and that southerners should send letters asking consideration of the colored patrons' point of view to R. C. McLaren, F. W. Woolworth company, 233 Broadway and Karl Helfrich, S. H. Kress company, both New York City.

With at least 43 of their number facing trial on "trespass" charges at Raleigh, the students early this week found themselves receiving wide official, editorial and general support of their "sit-down" protests.

While college officials, generally, have been non-committal in their appraisal of the protests first launched by four students from Greensboro, N. C.'s A. and T. College, Dr. William H. Martin, acting president of Hampton Institute, last Thursday issued a statement which is generally construed as the attitude of college officialdom in the affected areas.

DR. MARTIN said:

"The Hampton chief of police advised us of incidents in the Woolworth store. Upon investigation, we learned that activities of the students were voluntary and independent.

"We are not qualified to comment further on the actions of any persons who may identify themselves as Hampton Institute students.

"The college does not feel it has the right to restrain individuals from acting as citizens.

"Further, the college wishes to do anything it can to improve relationships between all of its members and local businesses."

THE STATEMENT was issued after Hampton students went into a downtown Hampton store and took seats at the lunch counter Thursday. The counter was immediately closed.

As the sitdown protests spread from Greensboro into Raleigh, Durham, Charlotte, Winston - Salem, Fayetteville and Elizabeth City, N. C., all college towns, a series of counter shut-downs spread along with the protest. Ten cities now, including Norfolk, have closed counters.

AND AS THE protest spread, so did editorial recognition.

Dailies at Greensboro, Raleigh and Charlotte and other North Carolina and Virginia cities have treated the matter editorially with the general contention that solution of the problem rests with store managements and community leadership. Editors conclude that the students, morally, are right in their protests. North Carolina law, however, contains provision for arrest of "uninvited guests" of business establishments on trespass charges.

IT WAS IN view of this law that students at Raleigh called a halt to their demonstrations Monday.

Intelligence committees at Shaw University and St. Augustine's College said the protests had been called off, pending disposal of trespassing charges against the 43 students who were arrested Friday and Saturday for failing to move off a privately-owned sidewalk in front of a shopping center dime store.

"THE STUDENT movement will discontinue activities, not through intimidation, but pending court action," the committees said. Trial is set for Feb. 25.

The demonstrations this week had spread to nine North Carolina cities and four other southern states. A demonstration also took place in New York.

SEVERAL WHITES joined colored citizens in Harlem Saturday when picket lines were strung around two dime stores.

The pickets handed out leaflets which said: "We call upon the people of East Harlem to protest by refusing to patronize a chain store that makes money from minority groups in the North while refusing them service in the South."

IN AT LEAST two southern towns, Ahoskie, N. C., and Portsmouth, Va., persons other than students engaged in "sit-down" protests and were served.

At a downtown Portsmouth store, a barber asked to be served at a counter but was shown into a banquet room where he was served coffee on each of three visits. At Ahoskie, a man and a woman entered a drugstore, sat in a booth and asked service. They, too were served.

Of the overall picture, Dr. F. D. Patterson of the Phelps-Stokes Fund appearing at Bennett College, Greensboro, Sunday observed: "It (such protests) was inevitable. It was certain to come today or tomorrow, but it was inevitable. People are not afraid to pursue principles."

As of Monday, persons had "pursued principle" in Greensboro, Durham, Raleigh, Charlotte, Greensboro, Winston-Salem, Fayetteville, Elizabeth City, Concord and High Point, N. C.; Norfolk, Hampton and Portsmouth, Va.; Rock Hill, S. C.; Tallahassee and Deland, Fla. and Nashville, Tenn.



THE FIGHT GOES ON — Students of Shaw University and St. Augustine's College at Raleigh are manning this picket line in front of downtown variety stores, protesting their discriminatory policy in operation of eating facilities. Lunch counters have remained closed since the sitdown protest began.

Yale U. students picket Woolworth's up in New Haven

NEW HAVEN, Conn. — Declaring they were in sympathy with the sitdown protests being staged by students in the South, eight Yale University students Friday picketed the Woolworth store here.

Leaflets passed out by the students said: "We are attempting to communicate to others that Woolworth's branches in the South treat their customers undemocratically and deny to them the same seated meal service provided to white people."

Va. Union joins sitdown protest

By RUTH JENKINS
AFRO Staff Correspondent

RICHMOND — "Breakfast now being served," said the sign at the store entrances. But the signs were wrong. No food at all was being served.

Food counters at the Woolworth and Murphy variety stores on Broad Street failed to open Saturday morning as some 200 Virginia Union University students quietly but determinedly occupied all the seats.

The sit-down demonstration, as a protest against lunch counter discrimination, is led by two Virginia Union Seminary students, Charles Sherrod of Petersburg, Va., and Frank Pinkston of Silver Springs, Fla.

Also taking active part was Raymond Richardson, student body president. Clarence W. Newsome, an attorney, was also on the scene.

* * *

IN 30-DEGREE weather, the students converged on the center city shopping area before 9 a.m. By the time stores opened for business at 9:30 a.m. the students were comfortably settled at the counters reading books and magazines.

* * *

AT THE Woolworth store, 5th and Broad Sts., a 25-seat counter is maintained for colored patrons at the rear of the store. The students ignored these and occupied the 35 seats at the white counter on the side.

When the rest of the store was lighted up signifying the opening for business, the lights at all lunch counters, including the mezzanine section for white diners remained dark.

* * *

A BLOCK away at the C. C. Murphy Store the students occupied all five of the U-Shaped lunch counters which seat 16 patrons each.

The store was fully lighted and business progressed as usual except at the food counters which bore signs saying "Restaurant Closed." The employees remained idle.

Managers of both stores, W. J. Frew at Woolworth's and Wood Wilson at Murphy's, declined to comment on the situation.

However, Mr. Wilson pointed out that his store enjoys a a very pleasant relationship with its colored employees who work in the stock room and as lunch counter waitresses.

Murphy's offers no sit down dining service to colored patrons.

* * *

BEFORE THE 9:30 a.m. opening hour, five police cars converged on the scene but these were withdrawn shortly after Detective Captain G. M. Lloyd arrived, although three or four uniformed policemen remained in each door.

Officers explained that while no disorder was expected from the University students they were on hand as a precautionary measure to prevent agitation from outside sources.

The students are making a special plea for sympathy and support of their project by adults. They do not want any high school pupils to get involved.

* * *

PARENTS are being asked to keep youngsters out of the stores while the sit down demonstrations are in effect.

Relieving each other in shifts, the students declared that they will continue to sit down for as long as is necessary to accomplish their purpose.

Public sentiment was expressed by one colored shopper who told the press, "We want them to hold out and carry on to the end, through faith. We are all praying for them."

* * *

SHORTLY BEFORE 1 p.m. both stores closed up shop for the day after some 50 white youths began parading through the stores with Confederate flags and caps.

After announcements of the shutdowns over the public address system, the colored students, the white roving groups and the shoppers all filed out without incident under the watchful eyes of additional policemen who had been called to the scene.

The regular closing hour is 5:30 p.m. and the students had come prepared to sit throughout the day.

The store managers lamented that "There goes another lost Saturday just like last Saturday" when Virginia's worse snowstorm in 20 years made the shopping crowd practically nil.

BIAS IS CHARGED TO NEGRO GROUP

INSTITUTE, W. Va. (AP)—The President of West Virginia State college has issued a stern reminder to students that racial integration is a two-way street.

In a statement published on page 1 of the student newspaper at the former all-Negro college, president William J. L. Wallace said:

"There are indications that students, right here on the campus, are as prejudiced as the meanest demagogue in the South . . . There are Negro students bent on excluding white students from student governmental positions and social honors."

The state-operated college began admitting white students after the 1954 supreme court decision outlawing school segregation.

White students now make up about 70 per cent of the total enrollment of 2057. Virtually all the white students are commuters from the city of Charleston, 12 miles away, and other nearby communities.

Dr. Wallace is a Negro presiding over an integrated faculty.

He told te Associated Press that although he has noticed no interracial hostility on the campus, he spoke out in the student newspaper because he was disturbed by a tendency of campus political factions to organize along racial lines.

Lawyer Maintains Segregation Best

Says Both Races Progress Under System

ST. LOUIS, Sept. 9.—(UPI)—A Mississippi lawyer said here Thursday night that "both Negroes and whites make more progress under segregation than under the so-called integration system."

Alvin Binder of Jackson addressed the Government League in an appearance sponsored by the Mississippi Sovereignty Commission, an official agency for maintaining segregation.

Mr. Binder conceded that relatively few Negroes voted in Mississippi and said "complete franchisement" of Negroes would result in Negroes being elected to all county offices in one-third of the state's counties.

"In spite of segregation," he said, "we maintain that more Negroes have better jobs in Mississippi, in proportion to their number, than in any state in the union."

Racism Top U. S. Problem, Jesuit Says, Rapping North

By Jo-ann Price

ST. LOUIS, Aug. 25.—A Jesuit legal expert tonight called racism "our most critical domestic problem" and challenged "gradualism," if it means only inactions as a course to be followed in working out segregation problems.

In the course of the talks the Rev. William J. Kenealy, S. J., professor of philosophy of Loyola University, Chicago, criticized Sen. James O. Eastland, D., Miss., as a "bilingual" and "agile" politician, who says one thing to radio and television audiences about race relations and another to White Citizens' Councils in the South.

Father Kenealy told the opening session of the first National Catholic Conference for Interracial Justice that there is "more hypocrisy about interracial justice in the North than in the South."

'Growth' Needed

And, touching on the thorny civil rights planks at the recent political conventions, he noted that while "we heard a lot from Los Angeles and Chicago about the founding fathers," it is necessary "for man to grow" not merely in age and size, but also in "wisdom and in grace as well" on the race issue.

Father Kenealy spelled out his view that race tensions constitute the nation's "most critical" problem in these terms:

"It's more explosive and publicized aspects are obviously concentrated in the South. They will be solved when white Southerners decide to obey, as they eventually will obey, the supreme law of the land.

"Nevertheless, even then the substance of the problem will remain. It cannot be solved adequately by the (U. S.) Supreme Court or the law.

"It is fundamentally a moral problem. It must be solved in the hearts of men."

Father Kenealy described racism in the North and South as "essentially the same vicious evil, "Having lived in both sections of the country, he said he had to "confess" that the North was more hypocritical about race tensions.

He asserted that, "most Southerners say what they mean and practice what they preach," even though this is "frequently saddening and sometimes terrifying."

From this "mild commendation," however, he said, "I exempt Sen. James O. Eastland of Mississippi and similar agile Southern politicians whom I have heard speak" to both radio and television audiences and also at meetings of White Citizens' Councils in the South.

"They are really bilingual," he said.

In the North, however, racial discrimination in housing is worse in Chicago than it is in New Orleans.

Father Kenealy said he supported the 1958 view expressed in the annual statement of the Catholic Bishops of the United States that gradualism should not be a "cloak for inaction." He said that prudence demands the selection of "appropriate and efficient means" to eradicate injustices" with all deliberate speed."

Father Kenealy spoke at a meeting at which Roman Catholic leaders are planning to launch a co-ordinated full-scale attack on racial segregation inside and outside church ranks. As their chief weapons they will use "moral persuasion."

Meeting at University

Meeting on the campus of St. Louis University, which was desegregated in 1945, more than 200 clergy and laymen of forty-five autonomous Catholic interracial councils have asembled for the conference.

The session marks the fruition of more than twenty-six years of progress in local areas, beginning in 1934 in New York, when a New York layman, George K. Hunton and a widely known Jesuit priest, the Rev. John LaFarge, S. J., pooled their talents to form the New York Catholic Interracial Council. The meeting here continues through Sunday.

"There is very definitely—and very naturally—a feeling that the racial question is a moral question and that it cannot be solved by mere expediency and rule of thumb," Father LaFarge commented in an interview. "This has been the key of our program, the fundamental question of the dignity and value of the human being."

Rely on Education

The councils in the conference rely chiefly on education and a quiet, but unyielding moral stand for the progress they make, according to the Rev. P. J. Molloy, moderator of the St. Louis Interracial Council.

"We've seen a complete change in climate in St. Louis," he said of the interracial question here. "It used to be the popular thing to be prejudiced. Now people don't want to admit prejudice, and it is the popular thing to be liberal."

The St. Louis Interracial Council can count a long list of items of progress. In collaboration with Protestant and Jewish leaders, it was helped to forward the partial desegregation of theaters and restaurants, the hiring of Negro personnel on public transportation, desegregation of public housing and integration in St. Louis hospitals.

Bi-Racial Committees Losing Appeals For Compromises

By United Press International

Local bi-racial committees seeking solutions to lunch counter sit-ins and other anti-segregation demonstrations in the South have found opinion sharply divided, a survey showed yesterday.

So far the committees have been unable to come up with anything satisfactory to stem the growing wave of protest demonstrations. A few solutions following generally the same pattern of compromise, trial or partial integration, have been proposed—most of them in North Carolina.

A report by a seven-member bi-racial committee at Nashville was scheduled to be submitted to Mayor Ben West recommending "significant changes" in Nashville's segregated lunch counter picture.

A goodwill committee at Winston-Salem, N. C., composed of 10 whites and 10 Negroes, is awaiting a subcommittee's report on meetings with store managers before making recommendations. But results of a poll of 750 persons in five Winston-Salem stores during the past month showed 47 per cent agreeable to integration, 48 per cent opposed and five per cent undecided.

Trial Period Refused

A bi-racial committee at High Point, N. C., recommended a 60-day trial period of integration at lunch counters, but merchants refused to go along with the proposal. A similar one-month trial period was recommended at Chapel Hill, N. C., but was rejected when three lunch counter operators refused.

At Greensboro, N. C., a bi-racial committee concluded that variety stores saw no difference between their lunch counters and restaurants if they desegregate. It recommended partial integration of lunch counters, maintaining a part of the counters for "whites only." Again, the operators refused to accept the recommendation.

The Greensboro committee reported that of 2,063 written replies solicited, it found 1,501 favored integration on some basis, and 562 opposed it.

No committees have been named in South Carolina, Mississippi, Georgia or in any Alabama cities having had lunch counter demonstrations. Bi-racial councils have been suggested in several Virginia cities, and the Petersburg, Va., council Tuesday night considered such a proposal.

I Florida, Gov. Lerov Collins has appointed a statewide bi-racial committee which has recommended setting up community bi-racial groups.

Jury Trial Asked

Other racial developments:

South Carolina—attorneys for 24 Negro students charged with trespassing during a sit-in demonstration at Charleston asked for jury trials and city recorder's court judge Kenneth Rentiers called a jury for April 15.

Virginia—the NAACP began a boycott of an F. W. Woolworth Co. store at Lynchburg after the store refused a demand to integrate its lunch facilities.

Galveston Integrates Lunch Counters

GALVESTON, Texas, April 5. —(UPI)—Lunch counters were voluntarily integrated Tuesday in Galveston and Negroes start-e deating besides whites without incident.

Galveston became the second Texas city to de-segregate its lunch counter since Negro sit-down strikes started three months ago in the Southeast. Galveston has a population of about 35,000.

The first Texas city to voluntarily throw open its lunch counters to Negroes was San Antonio, the state's third largest city. Galveston is 50 miles from Houston, where the first integration sitdowns in Texas started March 4.

Store managers and civic and religious leaders announced the integration of lunch counters after a conference.

Negroes began eating immediately at lunch counters in Woolworth's, Kress', Weingarten's Supermarket, four Texas drug stores, three Wright drug stores and severtl others.

Police reported no incidents.

Race Riot 'Scare' In Racially Mixed Area

By United Press International

A race riot scare brought out special police detachments in Miami last Thursday night while officials along Mississippi's gulf coast resort strip took steps to head off a renewal of race violence.

Police rushed into a racially mixed neighborhood in northwest Miami and broke up a crowd which gathered when a report circulated that a Negro had struck a white woman.

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Police rushed into a racially mixed neighborhood in northwest Miami and broke up a crowd which gathered when a report circulated that a Negro had struck a white woman.

The Sheriff's office said it first received reports that some 100 Negroes and whites were engaged in a brawl. Further investigation disclosed that a mixed crowd had gathered at the scene of a minor auto accident involving cars driven by a Negro man and a white woman. Police said no blows were struck but that "hoodlums" in a car fired a shot at the Negro and missed.

The area where the incident took place was just outside the city limits. Miami police sent riot squads to stand by at the city line but they were recalled when it became apparent they would not be needed.

IN MISSISSIPPI

Mounting tension along the Mississippi gulf coast beaches was reflected in the further curfew restrictions imposed last week on personnel at Keesler Air Force base at Biloxi, Miss.

Maj. Gen. John R. Sutl ordered all air force personnel to be in uniform at all times when off the base starting at midnight last Friday and further ordered all personnel to be back on the base or in the homes by 7 p.m., Saturday and Sunday.

A number of Keesler airmen were attacked and beaten by a gang of white teenagers during street fighting and brawling on the beaches last weekend.

The sheriffs of two Mississippi beach counties, Jackson and Harrison, ordered citizens to register all firearms immediately.

IN SOUTH CAROLINA

Ten Negro students charged with breach of the peace in connection with anti - segregation demonstrations at Rock Hill, S. C., were convicted in recorder's court Thursday and fined $35 each or 30 days in jail. All filed notice of appeal. A total of 70 students were charged. Seventeen have been tried and convicted. Trials of 10 more were set for next week.

Negro students picketed variety stores in Charleston, S. C., last Thursday and 11 staged a sitdown demonstration at the lunch counter of one of the stores.

Rocky hits race bias

CHICAGO — The most critical test for Americans is their behavior in the area of civil rights, Gov. Rockefeller declared in a strong attack on racial bias.

Rockefeller said "if the United States tolerates" discrimination at home or abroad, "we shall deserve the disrespect we shall invite."

Speaking at a special convocation at the University of Chicago, coincidental with Law Day, he stressed that human equality must be secured in the hearts of men as well as in changing laws.

Rockefeller's strong civil rights statement was hailed by the National Urban League. Lester B. Granger, executive director of the League, said:

"Gov. Rockefeller's address reflects the same convictions regarding equality of opportunity, rights and responsibility as are built into the philosophy of the League. Mr. Rockfeller was explicit in his statement, where political figures are too often careful, if not evasive. The address was i nrefreshing contrast to the unforgivable communist smear which former President Truman sought to apply to southern youth leadership."

Gov. Rockefeller said:

"We did not found this nation upon any manner of racial superiority but upon the basic belief in the individual— his worth, his dignity, his freedom.

"If we as individuals and as a people, tolerate false divisions of man against man, if we tolerate pretensions of superiority by any people, including ourselves; if we tolerate permanent barriers against progress by any people, in our own nation or in the world . . . we shall have broken faith with our fathers, and we shall deserve the disrespect we shall invite."

Novelist Buck Asks South To Respect Negro

WASHINGTON, D. C. — Novelist Pearl Buck last week (April 23) called upon white Southerners to follow the example of Great Britain in its dealings with India, and yield to the civil rights demands of Negroes with "dignity and mutual respect."

Miss Buck's appeal came during a talk at Howard University, where she delivered the second annual Gandhi Memorial Lecture. A crowd of some 800 filled every available space in Andrew Rankin Chapel to hear the Nobel Prize-winning author speak on the "Principles of Leadership."

"A new leadership is emerging among Negroes in the South, and it is a good leadership." Miss Buck said. She paid tribute to the new leaders and to their method of "non-violence" in their campaign.

"Negroes must press on, but their means must not betray the ends," Miss Buck declared. "Non-violence must continue, for it will be the quickest way to the objective."

The speaker outlined four basic qualities for effective leadership. She said the leader must be somewhat of a dreamer who believes his dreams will come true; he must have both genius and the talent to implement his genius; he must have integrity, described as "a loyalty to his vision;" and he must be fearless and able to endure loneliness.

Miss Buck said that America does not have great leadership today because the people have not demanded it. She said Americans are in need of leadership, but because they made no demands, they have gotten the kind of leadership which they deserve.

Full Integration Years Away, Southern Publishers Believe

By MURRAY DAVIS,
World-Telegram Staff Writer.

Complete integration in the South is years, if not generations, in the future, a number of Southern newspaper executives agreed today.

Interviewed by the World-Telegram while attending the 74th convention of the American Newspaper Publishers Assn., some of the Southerners made plain their distaste for discussing the subject with a Northern reporter. Others deplored as excessive the amount of space devoted to Southern racial problems by Northern newspapers. Many wouldn't talk about integration.


B. V. Boone

A Southwestern publisher, Byron Boone of the Tulsa, Okla., World, said in the North "all I can see in the newspapers is integration. We've never had any trouble at all."

At least one publisher from the South saw the possibility of bloodshed if things are "pushed too far." Only last night several persons were wounded by shotgun blasts when Negroes tried to swim at an all-white beach near Biloxi, Miss.

Southern Views.

Some of the Southerners who expressed views on when complete integration will come to the South:

Clark Howell, publisher, Atlanta Constitution, Atlanta, Ga.:

"It is a long time off; in fact, it is not in the forseeable future.... The time is coming when there will be a lessening of barriers.


Clark Howell

"There will be agitation for integration for a long time to "come although "we've made a lot of progress in Atlanta. We have excellent schools for Negroes, many comparable to or better than those for whites."

Cecil B. Highland Jr., president and general manager, The Exponent and The Telegram, Clarksburg, W. Va.:

Generally Negroes don't try to register at hotels but at public affairs "dinners are served without regard to color" even in hotels. "In our part of the state, school integration is proceeding without incident."


C. B. Highland

Irwin A. Simpson, vice president, The Times, St. Petersburg, Fla.:

"Integration is a long way off. . . . We haven't encouraged integration; rather, we've taken a sensible position. Integration is going to be very spotty in some states but there will be a continuing gradual integration.


I. A. Simpson

W. H. Metz, vice president, Birmingham, Ala., Post-Herald, a Scripps-Howard newspaper:

"The problem won't be solved overnight" and "is peculiar to that part of the country . . . It goes back to the basic principle of states' rights.

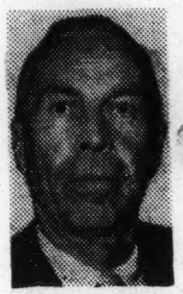

W. H. Metz

"The whole situation is being agitated from elsewhere and is causing far more damage than good.... The whole key to the situation is property ownership and there is considerable Negro property ownership in Birmingham.

"Some people are trying to be the pros and know it all sociologically in a three-day excursion" and come away with distorted facts," he said

W. B. Page, The Herald, Bradenton, Fla.:

"I don't expect complete integration in my lifetime. . . . We are for equal rights in many areas, such as education. Generally, it's not the native Negroes who are are concerned about integration; it's the younger students who have been up North or in contact with Northern Negroes. Florida Negroes have no voting problem. They go to the polls and vote."


W. B. Page

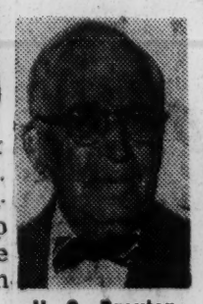
A. H. Chapman Sr., president, Ledger-Enquirer, Columbus, Ga.:

"I don't think I'll be there (when complete integration comes). It's a long time off and many others feel the same way." The paper's editorial policy is to "advise taking it easy on matters at this time." Interracial relationships are "good" and Negro schools are "as good or better than white schools."


A. H. Chapman

H. Galt Braxton, owner and publisher, The Free Press, Kinston, N. C.:

Integration won't come in "my time and probably won't come within the time of our grandchildren or great grandchildren. Not before then.


H. G. Braxton

"The rank and file of our Negroes don't want it. They want to be treated right, and we do (treat them right)." The highest paid teacher in the school system is a Negro because "she has seniority and she has grade."

Negro schools in some instances, are better than white schools, "they have the greatest playgrounds in the United States" and a swimming pool has been built for them. The 1954 Supreme Court decision ordering school integration "set us back 50 years."

A. W. Huckle, The Tribune, Concord, N. C.:

"Integration is a long time in the future and is a thing that has just got to come gradually . . . We're inclined to treat this with as little sensationalism as possible . . . The local Negroes are not unhappy."


A. W. Huckle

R. B. Chandler, president and publisher, Press-Register, Mobile, Ala.:

"God forbid," there should be integration. "We get along with Negroes all right. There's no conflict. I don't think Negroes want it or that it's possible."


R. B. Chandler

In Mobile, two separate police forces — Negro and white — handle their respective race's police problems. "Our editorial policy is very much against integration. We have a substantial Negro readership and we have had few complaints from them."

J. M. Blalock, publisher, State and Record, Columbia, S. C.:

"Complete integration is going to come in different sections of the South at different times and South Carolina will just about be the last."


J. M. Blalock

Negroes, as a group, have made "greater progress than any other similar group in history and if they would only be patient things will come out right." It the situation is "pushed too far there might be bloodshed."

Missing AF Wife Spotted in Jersey

Special to World-Telegram and Sun.

UNIONDALE, L. I., April 25.—The wife of an Air Force noncom, missing with her 16-month-old son, Daniel, and the family car, may be heading for Florida, according to police.

Mrs. Margaret E. Zeishner, 32, of 713 Kenwood Pl., Mitchel Gardens, wife of T/Sgt. Walter Zeishner, took her 4-month-old daughter, Margaret, to the Mitchel Air Force Base Hospital before she left.

Sgt. Zeishner said his wife had been depressed and withdrawn since the girl was born.

Rocco Chichele, 35, of 1023 Laura St., Elizabeth, told police he is certain she was in his gas station on Route 1 about 10 p.m. Saturday. She asked for road maps to Florida, he said. He said he noticed the Zeishner Buick sedan because a friend has an identical model.

Mr. Chichele said the child was wearing a T-shirt and diaper, and that the luggage seemingly had been tossed hurriedly into the car, since much of it was open.

14 Million Women Join NOW Ranks To Declare War on School Segregation

NEW YORK —(UPI)— Seventeen national women's organizations joined forces Monday to fight segregation in the nation's public schools.

The organizations, with an aggregate membership of 14 million, formed a new organization titled "National Organizations of Women for Equality in Education" (NOW). Mrs. Eleanor Roosevelt is honorary chairman.

Mrs. Thelma Richman of Philadelphia, chairman of the planning committee, said the first activity of the organization would be a national conference of women in Washington Feb. 17-19 "to focus major attention on the psychological, educational, social and ethical consequences of segregation and their effect on children of all races."

The participating organizations are the National Council of Women, United Church Women, The Women's Division of the American Jewish Congress, Hadassah, The National Council of Negro Women, The General Alliance of Unitarian Women and other liberal church women, The Association of Universalist Women and Pioneer Women.

Others are Fellowship of the Concerned, Delta Sigma Theta, National Association of Colored Women's Clubs, The National Women's Conference of the American Ethical Union, The National Women's League of the United Synagogue of America, The Women's Society of the Seventh Day Baptist General Conference, The Women's Department of the United Auto Workers, The Women's International League for Peace and Freedom, and The Union of Orthodox Jewish Congregations of America.

Mixed Musicians Rejected In State

SAN FRANCISCO (AP)—Dave Brubeck is passing up an estimated $40,000 in bookings because he refuses to drop a Negro musician from his jazz group for a Southern tour, the San Francisco Chronicle said yesterday.

The jazz pianist had planned about 25 performances, but cut the bookings to 10 as Southern colleges and universities learned his quartet is not all-white. Eugene Wright, a Negro, plays bass.

Brubeck said he felt the cancellations do not reflect Southern student sentiment, but that of state-aid-conscious officials.

"The students know my group would be selling those kids short to go down South with an all-white group," he asserted.

Brubeck said the University of Jacksonville, Fla.; Vanderbilt University, Nashville, Tenn.; and the University of the South, Sewanee, Tenn., accepted the integrated quartet.

Among the institutions that canceled were University of Mississippi; Millsaps College, Jackson, Miss.; Memphis State College; Southwestern Institute, Lafayette, La.; Southeastern Louisiana College, Hammond, La.; and Georgia Institute of Technology at Atlanta.

ANTI-SEMITES DAUB NAZI SIGN IN 8 U. S. CITIES

Temples, State Capitol Are Targets

[Chicago Tribune Press Service]

Nazi swastikas and anti-Jewish slogans such as "Jews go home" were painted on Jewish temples, fraternity and sorority houses, and public buildings—including one state capitol—in a nation-wide outbreak of anti-semitism Friday night.

Eight cities, including Decatur and Champaign in Illinois, were his by the hate peddlers. Police in some of the cities said the desecrations were the work of thrill seeking juveniles, but in others there was evidence the painting was done carefully and expertly, indicating organized planning.

Two Arrests Made

Two arrests were made. These took place in New York City where the custodian of a Bronx public library hall nabbed two teen-agers in the act of smearing a four foot swastika on the building with black paint. Caught were a high school and a trade school student, ages 14 and 15.

The various acts of defacement indicated a rising tempo to a spreading nationwide hate wave triggered by similar defilements which began Christmas eve in Cologne, Germany.

In addition to Decatur, Champaign, and New York City, cities in which Friday night defilements were reported were Columbia, Mo.; Sarasota, Fla.; LaCrosse, Wis.; Santa Fe, N. M., and Baltimore.

The Decatur outbreak apparently was inspired by a sermon on anti-Semitism delivered Friday night by Rabbi Leo E. Turitz in Temple B'nai Abraham, Decatur's only synagog. The rabbi spoke with regret about demonstrations of anti-Semitism in West Germany and elsewhere.

Paint Swastikas on Temple

Saturday morning Rabbi Turitz found 18 inch swastikas painted in white enamel on glass panels which flank the four doors of the temple, an edifice completed only two years ago. A slightly smaller swastika had been painted on one of the doors. Police found a paint can lid and fresh footprints in a muddied area in front of the building.

The Campaign incident involved the painting of two swastikas on the walls of the Hillel foundation, a national foundation for Jewish college students near the University of Illinois campus. Smaller swastikas were painted on the sidewalk leading to the building. Black paint was used.

Two synagogs, a rabbincal cllege, and a public junior high school were the targets in Baltimore. Black swastikas about 8 inches square were found on doorways of Beth Yehudi Anshe Kurland and Shaaret Zedek synagogs, and on stone colums at the entrance to the Ner Israel Rabbinical college. At the Woodbourne Junior High school, blue paint was used to smear swastikas on a wall and door and a sheet on which a swastika had been painted was hung at an entrance to the school grounds.

Blames Organized Group

Police said the swastikas at the synagogs were spray painted an that a stencil had been used. Samuel Barber, president of the Beth Yehudi congregation, blamed an organized group. "It's not something children would do," he said. "They would simply smear them on."

In LaCrosse, police said two swastikas were painted in red on a wall of the Congregation of the Sons of Abraham synagog, along with the letters, "Jews Get Out."

The Temple Beth Sholom in Sarasota, Fla., was desecrated with swastikas on front and side doors, and with printed phrases, "Die Jew" and "Heil Hitler."

The New Mexico capital at Santa Fe was defaced with swastikas on glass entrance doors and a sign, "Jews Go Home." Similar signs were painted on the First Baptist church, a Latter Day Saints church, a newspaper office, and a department store.

In Columbia, Mo., three Jewish fraternity houses and one Jewish sorority house at the University of Missouri were defiled with swastikas.

African Leader Says His People Aware Of Racial Strife In U. S.

Tanganyikan Studies At U. K.

From Wire Dispatches

Lexington, Ky., Feb. 25.—An African whose nation soon will receive partial independence said Thursday the people of his continent are becoming increasingly aware of racial strife in the United States.

Julius Nyerere, prime minister-designate of Tanganyika, said Africans are deeply interested in the problem.

An increased literacy rate in Africa has permitted more widespread circulation of American racial problems, he added.

Nyerere, 37, president of the Tanganyika African National Union, is expected to be a political power when Tanganyika gains partial independence from Great Britain in September.

Notes Recourse To Courts

Tanganyika now is a trusteeship.

Nyerere said that although Africans deplore racial incidents in America they are aware of a fundamental difference.

In the United States, he said, a person victimized by racial discrimination has recourse to the courts.

But in many parts of Africa, he said, the people can do nothing when they face discrimination.

Nyerere said he did not know if Tanganyika will officially recognize the Union of South Africa, which has a policy of segregation.

After September, the colonial governor in Tanganyika will retain veto powers over the internal government.

Education Due Priority

However, Nyerere said, he did not anticipate difficulties. He also predicted Tanganyika will have complete independence within five years.

He said the new government will give education top priority; he said that only about 20 per cent of Tanganyika's population of 9,000,000 is literate. The population includes 22,000 Europeans and 75,000 Asians.

Nyerere predicted all African nations may become a united states of Africa in the not-distant future.



Staff Photo by Joe Reister

JULIUS NYERERE, leader of the 9,000,000-strong Tanganyika African National Union, left, visiting the University of Kentucky College of Agriculture, was presented with three hands of choice burley tobacco by Dr. Frank J. Welch, dean of the college.

"I would not be surprised if a united states of Africa came into being in my lifetime," he said. "There is a great feeling of oneness in the country."

Studying Agriculture

Nyerere came to Lexington to study the agricultural-extension program at the University of Kentucky.

"In my country," he said, "at least 98 per cent of the economy is agriculture.

"We are primarily interested in getting the message of good agriculture practices over to our people, who, like most farmers, are not too forward when it comes to seeking information that will benefit them and theirs."

Tanganyika's chief crop is sisal, most of which is bought by the United States. The country is also one of the world's largest producers of beeswax, but output varies seasonally.

Attorney Calls Race Bias 'Public Enemy No. One'

WILBERFORCE, Ohio — Central State College's celebration of Negro History - Citizenship Week was highlighted by an address by Attorney Charles W. Anderson of Louisville, Ky.

Speaking to an overflowing audience Wednesday he stated, "Our 'Jim Crow' policy of race discrimination and hate because of color, creed and race is 'America's Public Enemy No. 1'."

He further cited that, "America faces no greater challenge today than race relations." This prominent attorney, who is a representative to the U.N., stood firmly upon the statement that, "enduring peace can only be found in better human relations and equality of opportunity to all that live in this democracy."

The worst disease suffered by America, according to the attorney, is the racial discrimination that is now going on in the south.

He didn't deny the fact that the U. N. is not perfect, but he did emphasize the fact that the Group has made more progress than any other organization in promoting peace and better race relations.

RECALLED PROBLEMS

He recalled some of the problems and progress that has been made by the Africans and pointed that America's minority races as well as Africans are not concerned with economic advancement alone, but also political and social advancement.

"If America is to win the minds of the people of other nations, she will have to set a good example", stated the attorney. What we need is the will to live up to our ideals and we will win the contest of the minds of men, he explained.

Having served for many years in the Kentucky Legislature and in other positions of equal status, Anderson related from his experiences local incidents involving racial discrimination that have been magnified by the 'red propaganda machine' to suit their own needs.

He further stated, "The people of other nations are not going to run from communism to the hypocrisy of our democratic situation."

The speaker concluded that world peace among men would come with the equality of all mankind.

Anderson was sponsored by the Student Forum of the department of history, political science and geography with Mrs. Wilhelmenia Robinson and James T. Henry acting as faculty sponsors.

Segregation as a Classroom Exercise

Even the most cautious of us now must concede the segregation issue is foremost in the public forum. To ignore it is as implausible as taking a nap on a smoldering mattress; to sensationalize it is as inexcusable as tossing gasoline on the flames. Segregationist, integrationist, Southerner or Northerner, you'll find the article here informative and provocative. You may question the author's point of view but you'll have to agree with his contention that discussion offers the only means of solution. Dr. E. M. Halliday, a Ph.D. and member of the social studies faculty at State College since 1953, has had articles published in Yank (the Armed Forces' World War II magazine), The New Republic and American Heritage, and he is the author of a new book, "The Ignorant Armies," to be published in May.

By E. M. Halliday

The current Negro protest against refusal of service at chain-store lunch counters is primarily an attack on Southern custom and tradition rather than Southern laws. This underscores a fact too long neglected, both North and South: that the real heart of the segregation problem is a **moral** issue, rather than a legal one. It will never be satisfactorily solved until that fact has been faced with candor.

Northern integrationists, following the government's lead of 1954, have generally taken the line that compliance with the law of the land is all that is essentially required. This legalistic approach has also been accepted by most Southern moderates, who view integration as something regrettable but unavoidable. It's going to come, they say, and we might as well get used to it even if we don't like it.

But peaceful integration will never be achieved on the basis of the banal "my country, right or wrong." It will be achieved only when and if most of the people of the South come to feel that it is the **right** path to take, a path compatible with American ideals which they hold as dear as anyone else. Social customs rest on values which people cherish; and if there is to be an acceptable change in customs they must be seen in a new light in relation to those values. Racial segregation is long-standing custom in the South. The question now demanding review is whether it is **good** custom.

So Little Discussion.

I think it unfortunate that there has been so little discussion of the problem in these terms. American democracy depends above all on free and vigorous discussion of what the people **want** — what they think is morally good and right. It is generally accepted, for instance, that it is healthy and proper for American students, from grade school through college, to discuss important social problems as part of their education. Yet my impression is that the moral aspects of segregation have been little discussed in public schools, perhaps especially in the South; that on the contrary these aspects have usually been avoided. Even at the college level, discussions of the problem are often too legalistic and technical—bristling with points about the Constitution and states' rights—to get at the heart of the matter.

What happens when a thorough discussion of segregation as a **moral** problem is conducted among Southern students? A few years ago it was decided at North Carolina State College that all senior engineering students must take a course called "Contemporary Issues." The idea was to have them read background material, hear lectures and debates, and participate in discussions on a series of controversial issues which would soon confront them as citizens when they went out to take jobs in American industry. Clearly, one of the most important and controversial issues of all was that of segregation; and despite some misgivings, the staff teaching the course agreed that it must occupy a prominent place. Since then about four weeks of the course have been given to a thorough examination and discussion of the whole problem.

Down The Middle.

Since 90 per cent of the students at North Carolina State are Southerners born and bred, and since several members of the Contemporary Issues staff happen to be from the North, it was felt that an extra effort must be made to conduct the investigation of segregation in a fair, unbiased way.

In addition to ample reading matter on both sides, and an absolutely open forum in the classroom with no threat of reprisal in terms of grades, weekly debates by staff members are used as a device to raise every reasonable argument both pro and con.. Staff members assigned to argue the segregationist side of the issue spare no pains to present as good a case as can possibly be made short of falsification of fact. (Once, when the staff conducted such a debate on television, the man who took the segregationist side was widely congratulated in this area for his presentation).

The results have been interesting. On the basis of polls taken in representative sections, it appears that, semester after semester, a majority of the senior engineering class has slowly, painfully, sometimes grudgingly, worked around to the conclusion that, despite longstanding Southern tradition to the contrary, segregation of the Negro cannot be reconciled with the basic democratic principle of justice. And, in relation to the problem as it faces the nation today, the salient fact is this: while there has been in the course an ample discussion of the legal and technical aspects of segregation versus integration, the point that finally seems to sway most Southern students is not the necessity of obedience to federal law, but the necessity of obedience to **moral** law.

What is Justice?

Sometimes included in the background material of the course has been Robert Penn Warren's book, "Segregation," and a remark he makes illustrates the approach to the problem many of the instructors have used. Mr. Warren writes that "desegregation is just one small episode in the long effort for justice."

The enveloping problem, then, the context for the discussion of segregation, is an age-old, very simple (and very difficult) question: What is justice? That question, thrown point-blank to a roomful of college seniors, elicits a variety of strange and interesting answers, as well as a good deal of silence pregnant with puzzled thought. But the impressive thing is that after kicking the question around for a while, the average class is very likely to come up with an objective definition of justice closely resembling that given some 2300 years ago by Aristotle.

Justice, they decide, is **equal treatment for equals.** It prevails when men are treated without difference or discrimination with respect to any ability which they have to an equal degree. If their ability is unknown, they obviously must be given equal opportunity; thereafter equality is judged by their performance.

Perhaps this seems terribly obvious. Yet it is a fact that it comes as a shaft of illumination to most college students. Moreover, it soon pinpoints the key question involved within the segregation problem, namely, whether the Negro is or is not intrinsically equal to the white. Oddly enough, many Southerners seem reluctant to discuss this question openly, possibly because they sense that, according to the answer given, the whole fabric of moral justification for segregation stands or falls. In the Contemporary Issues course the question is quickly flushed into the open, and for a couple of weeks it is hotly disputed from every conceivable angle.

But Are Negroes Equal?

From the outset it is clear that, broadly speaking, the Southern answer to the question is in the negative. The Negro, it is felt (regardless of how seldom it is said), is **not** intrinsically equal to the white. Harry S. Ashmore, the courageous executive editor of the "Arkansas Gazette," calls this "the first truth in the dilemma of race relations," and quotes Howard Odum, the famous student of Southern mores: "It was of the utmost importance that Southerners face the plain assumption that they did not appraise the Negro as the same sort of human being they themselves are."

State College students reveal this assumption in a hundred ways, ranging from the most absurd superstitions (for example the belief that Negroes feel relatively little pain when injured) to propositions still moot (for example the claim that, even when economic and social background is uniform, Negroes do not perform as well on intelligence tests, on the average, as do whites.) A good deal of time is spent differentiating between points of "inferiority" which are clearly the result of inferior environmental circumstances, and those which, if indeed they exist, might be reasonably thought to be innate. Many of the former can easily be seen to be the **results** of segregation rather than reasons for it.

Further time is consumed in an effort to distinguish between public and private rights. This question, of course, is crucial to the current demonstrations at the chain stores; and the traditional Southern position is that privately owned stores and restaurants are private facilities.

What is Private?

As property, to be sure, they are; but student discussions bring out sharply that in function they are public establishments, in business to serve the public, and afforded special privileges in taxation and police protection precisely because they **are** public facilities. The notion that the proprietor has a moral right to refuse service to certain customers according to his whims and prejudices would hardly make sense if it were interpreted on some basis other than skin color—if a certain store, for instance, refused to serve redheads, or people over six feet tall. Underlying the custom of discrimination against Negroes in service facilities is the same old goblin, the assumption of Negro inferiority. A man's home is his castle, and there he is free to exercise his prejudices to his heart's content; but reasonable discussion always seems to reach the conclusion that distaste for something does not prove its inferiority, and that even a privately owned public service facility ought to be open to **all** the public without prejudice.

Gradually, after much impassioned hassle and a good share of hardheaded reasoning, it becomes irrevocably clear that this is the central question: whether the Negro's dark skin is necessarily correlated with other characteristics which make him innately inferior to the white, and therefore justify his treatment by the white as an inferior. And although some facets of this question have to be left unsettled because clear evidence is lacking, on the whole the factual evidence piles up, and eventually overwhelms the prejudice of most of the students. With respect to his rights, privileges,

and duties as a citizen of the United States, they conclude, the Negro is not demonstrably inferior, intellectually or morally, to the white.

Two points of special interest have emerged semester after semester. One is that on the particular question of public school education, segregation finally appears unjust to the Southern student even if it should turn out to be true that, on the average, Negroes are inferior to whites in mental capacity. The clincher here is the easily provable fact that a substantial segment of the Negro population overlaps the white population in performance — in other words, a considerable percentage of Negroes are obviously superior to a considerable percentage of whites.

A related point is that after a thorough discussion of segregation in relation to justice, the old "separate but equal" doctrine tends to recede into limbo. It seems that, again, underlying the idea that public facilities can be equal even though separate is the hidden assumption that the minority group is not really equal. When a person is willing to grant wholeheartedly that any individual Negro, taken at random, may well be equal in moral and intellectual qualities to any individual white, also taken at random, the idea that the Negro is receiving justice by being forced to use separate public facilities, however "equal," no longer seems reasonable.

Quite aside from the intangible disadvantages cited by the Supreme Court in its decision of May, 1954, the humiliation that is inseparable from segregation becomes real to students when it has emerged that justice has indeed been violated. In one class, a student insisted at the start of the segregation discussion that the handsome dual drinking fountains in a large department store in Raleigh were a perfect example of "separate but equal." As the discussion was winding up, a few weeks weeks later, he came back with the same illustration to show that separate **could not** be equal.

It appears that in the interim he had seen, one day, a Southern gentleman inadvertently drink from the fountain marked "Colored." Becoming aware of his error just before swallowing, this champion of white supremacy indignantly spewed his mouthful of "colored" water back into the basin and transferred to the other fountain.

Education, of course, is not in itself a process of persuasion. What it is, or should be, is a process of inquiry, throwing all possible light on hard questions so that we may see the relationships of things clearly, and make choices congruent with our true loyalties and desires.

But there is reason to believe that the people of the South today hold views which, in the light of cool and thorough discussion of the problem, would cause them to see segregation as morally wrong, and to reject it on that ground. The chief responsibility of educational institutions, as well as of all people who believe in democracy, is to take every opportunity to discuss segregation as a moral issue.

The Time Has Come For Southern Negroes To Start Thinking For Themselves

The great migration during the period leading up to this nation's entry into the first world war took many thousands of Negroes from every section of the south to the north where they settled and began raising their children. This first generation of off springs of the southern Negro migrants, born, raised and educated in the north, must be looked upon and regarded as northern Negroes.

Although their forebearers were in the main, carried to the north on free passage, by agents recruiting labor for the greatly expanding war industries of the north, they have made their children believe that in each and every case, with rare exceptions, that they were forced to flee from their home in the south from the terrorism practiced by southern whites, and hence this first generation of northern Negroes has developed a studied hatred of southern white people, and a studied contempt for southern Negroes, yet it is this first generation of northern Negroes, now in the highest leadership positions, that is now doing the thinking for southern Negroes, and whose advice and examples are being followed by southern Negroes.

In the light of contemporary happenings, and the forbodings of an increasingly harsh and unhappy future, we think the time has come for southern Negroes to start thinking for themselves.

The National Association for the Advancement of Colored People, which has assumed the leadership of the southern Negro during the past decade, and up to this point, whose advice and example is blindly followed by southern Negroes, is the voice of this first generation Northern Negro, with his studied hatred of southern white people, and studied contempt for southern Negroes.

That the time has come for southern Negroes to begin thinking for themselves can be easily seen by looking at southern Negro progress in all directions before their leadership was taken over by the NAACP, and the northern Negro; a progress engendered by the wise leadership of southern Negroes; leaders who helped to create an atmosphere in which great progress was possible.

The wisdom of southern Negro leaders may be seen in this brief look at history. During the reconstruction period when Negroes were being terrorized by the Ku Klux Klan, with many other powerful forces arrayed against them, despite the urgings of the Carpet-baggers and others from the north, Beverly Nash, a Negro delegate to the South Carolina Constitutional Convention had the courage and wisdom to say: In these public affairs, we must unite with our white fellow citizens . . . the southern white man is our true friend, a friend of the black man." . . . During the same period Jefferson Davis, the President of the Confederate States, one of the most brilliant pro-slavery advocates, and the leader of the secession movement following the death of John C. Calhoun of South Carolina, was brought to trial for treason. On the jury before whom he was tried were six Negroes, all of whom voted for his acquittal. These actions were not long followed by the great race-relations speech of Booker T. Washington at the Atlanta Cotton Exposition in 1895, thus was created the atmosphere, despite the excesses of the reconstruction period, which has made it possible to say with truth that Negroes in the United States made greater progress up to the present than any other group in a similar period in the history of the world. A progress made possible by the friendly help, cooperation and assistance of southern white people.

Let us look at the southern Negroes efforts towards voting and political participation, a desire stimulated by the teachings and examples, and precepts of democracy, given during the first world war, and not by the NAACP. Taking the Mississippi Negroes for example, who began first around 1940, soon to be followed by Negroes in all the other states of the south. In 1940 there was less than 200 Negroes actually qualified to vote in the entire state, yet beginning then, despite deep seated opposition, by 1946, when the Supreme Court of the United States outlawed the white primary there were already over 10,000 Negroes in the state registered and qualified to vote, and by 1954 there were more than 30,000 Negro voters in the state, a constantly growing prospects, which was only halted and brought to a virtual standstill because of the advise of northern Negroes, demanding integration of the schools, who ignored and ridiculed the advise of southern Negroes who pointed out that the greatest and only need of the southern Negro was the vote, in order to work his way up to first-class American citizenship.

Now the NAACP is belaboring itself trying to help get the southern Negro the vote which he already had and was developing before it came upon the scene.

We contend that in the matter of a practical approach to the solution of the Negro problem in the south, the NAACP change from its demand for equality under the law, to its demand for integration was the greatest mistake in the history of the American Negro.

Take a look at the contemporary scene. Now this greatest of all mistakes is being compounded by NAACP endorsed demonstration of Negro students, with no possible results put to create further tension and animosities between the two groups, move farther away the development of an atmosphere when Negro progress can be resumed, and thus defer the full emancipation of the southern Negro.

In conclusion, we say again that the time has come for southern Negroes to start thinking for themselves.

Crux Of Loretta Young Matter:

Can Dixie Racists Dictate What Is To Be Televised?

HOLLYWOOD, Calif. — The entire nation is now waiting to see what will become of a threat made against "The Loretta Young Show" and its sponsors if Miss Young goes through with plans of telecast a show based on incidents which took place as a valiant group of mothers worked toward the reopening of desegregated schools in Little Rock, Ark.

Dr. Malcolm G. Taylor, president of the pro-segregationist Capital Citizens Council of Little Rock, sent Miss Young a letter demanding that plans for the show be cancelled.

IN HIS LETTER, Dr. Taylor said he believed that the demands of his group were "certain to cause you and your sponsor to learn a well-deserved lesson in public relations."

Along broadcast rows both here and in the east, that statement is considered an outright threat. Dr. Taylor — according to the powers-that-be in television — is trying to dictate what can and cannot be shown on TV and is also saying to a sponsor that woeful word "boycott."

IT IS FELT along Madison avenue and in other places where the real wheels of the television industry grind that a real test of the power of "hate groups" is in the offing.

The two dominant questions are these:

(1) Will a nationally-known product back off a proposed presentation because a "hate" group threatens "boycott",

(2) Will an actress known as a liberal back off for the same reasons.

ACTUALLY whatever happens will be out of Miss Young's province. She can no more dictate what can be



LORETTA YOUNG
In The Middle

shown on her show than she can dictate what cannot be shown. That's up to the sponsors and the network. But Miss Young — in the past — has shown an inclination toward revealing "truth" in her presentations.

The show projected by Miss Young and her producers is based on activities of Little Rock's Women's Emergency Committee. This is one of the groups that tried valiantly and successfully (for a while at least) to produce an atmosphere of tolerance to precede the opening of schools closed by Gov. Faubus and his state's now-outlawed laws.

MISS YOUNG, who would portray Mrs. Joe R. Brewer of Scott, Ark., chairman of the committee said:

We have considered a story of the Women's Emergency Committee's work to reopen the Little Rock schools because of reasons other than the problems of integration.

"IF THAT STORY," she continued, "like any other story we consider, develops into a script — unanimously acceptable to the producers, network and sponsors of the Loretta Young Show — it will be scheduled for production during the 1960-1961 season."

Observers note that racists groups are gaining more and more foothold in the broadcast industry, both television and radio, and that there is definitely a race-baiting hand guiding at least one of the major news distributing services.

IN RADIO and TV, especially in southern climes, programs depicting the "superiority" of the white man hold forth. Some of the programs are based on factual and fictional Civil War characters from Deepest Dixie. Despite the fact that the Union forces "won" the war, the South always wins in the TV-eed versions.

The outcome of the riff between Loretta Young, her sponsors, the network and the racists, observers believe, will serve as a barometer to show whether or not even the listening habits of the nation are to be dictated by a few segregationist die-hards from the South.

It is already being said that if a single TV show is not allowed to tell the truth about the Negro-white desegregation problem in the South, is is possible that the truth on matters pertinent to other minorities will never be known if it is to be learned through the communications media of radio and television.

Loretta Young Pressured By WCC President

LITTLE ROCK, Ark — (ANP) Actress Loretta Young, whose Sunday night Television shows have been enjoyed by fans from coast to coast, is being pressured by local segregationists to drop a planned showing of the efforts of a group of women who worked for the reopening of Little Rock's integrated public schools.

Dr Macolm G. Taylor, president of the Capital Citizens council, who fought reopening of the schools, sent registered letters to Miss Young, the president of the National Broadcasting company, and the general manager of Proctor and Gamble, sponsor of Lorea's program, asking that the proposed show be cancelled.

One of Miss Young's shows early in 1906 is to be centered on the work of the women's emergency committee the group supporting reopening of the schools. ANP learned.

'Frightened' Negro Writes To Khrush

MOSCOW (UPI) — Russian newspaper readers were exposed over the week-end to the folksy, homespun style of American letter-to-the-editor writers.

The letters talked about Premier Nikita S. Khrushchev in terms that would have made their publication unthinkable under Stalin.

Five letters were printed on a full page of Izvestia, the official government newspaper. Another six appeared in the December issue of the magazine Ogonek.

One letter in Izvestia was signed by an 11-year-old seventh grader from Derry, Pa., with the initial D. L.

He said his teacher had told him he should respect Khrushchev and he wrote, "My mother does not want me to have such feelings towards him."

"I don't understand why our two countries could not have peace. I hope no one will start a war . . . I hope you had a good time at Pittsburgh."

An open letter to Khrushchev signed "Frightened, not yet American Negro," advised Khrushchev against associating with the Ku Klux Klan or any other white supremacy organization.

"If you ever come to North Carolina, please bring some Russian Negroes so we can live in North Carolina could Negro once visited the governor house in Raleigh," the letter said.

A lady with initials V. S. apologized for the bad behavior of some Americans during the premier's U. S. trip and said she hoped Khrushchev realized, "those who acted badly did not symbolize America."

Loretta Young To Defy Ark. Racists

Chicago Defender
Chicago, Ill.

HOLLYWOOD — (UPI) — Actress Loretta Young says segregationists from Little Rock, Ark., will have no influence on whether or not she does a television show about a woman who worked to have Little Rock's integrated schools reopened.

"The decision as to what films we will produce is vested solely in those properly responsible to the show, the network and the sponsors," said Miss Young, star of a television series.

She made the announcement Saturday after Dr. Malcolm G. Taylor, president of the Capital Citizens Council of Little Rock, sent her a letter demanding plans for the show be cancelled.

Miss Young, while refusing to reply directly to Taylor's letter, said: "We have considered a story of the Women's Emergency Committee's work to reopen the Little Rock schools because of reasons other than the problems of integration.

"If that story, like any other story we consider, develops into a script — unanimously acceptable to the producers, network and sponsors of the Loretta Young Show — it will be scheduled for production during the 1960-1961 season (which starts in the fall of 1960)."

Taylor said it had been learned one of Miss Young's shows would be about the women's emergency committee and that Miss Young would portray Mrs. Joe R. Brewer, Scott, Ark., chairman of the committee.

Miss Young plans to depict the work of the Women's Emergency Committee in the Little Rock school crisis. He demanded that the project be dropped.

"If it isn't," the letter threatened, "it is certain that you and your sponsor will learn a well-deserved lesson in public relations."

The Women's Emergency Committee played an important role in the reinstatement of public education in Little Rock, following the school closing there in 1958.

* * *

ACCORDING TO informed sources, Miss Young is prepared to portray Mrs. Joe R. Brewer of Scott, Ark., who served as chairman of the women's group.

Dr. Taylor's communication referred to Mrs. Brewer as the leader of a crowd of woman who wanted to pose as modern-day counterparts of American heroines.

He said a show such as Miss Young proposes, would suggest that "we in Little Rock who believe in our time-honored and successful (for both races) customs and traditions are bigots and hatemongers."

* * *

NATHAN OGLETHORPE, assistant director of network programming, told the AFRO on Thursday that Miss Young had made no definite plans with regard to the show in question.

"It is our information that she is considering the story as she does all her other undertakings. If this story develops into a script that promises good, wholesome entertainment, it will be done.

"Miss Young in all probability, will ignore the threat. We are in full accord with her."

Miss Young snubs plea of council

Baltimore Md
Sat 1-2-60

NEW YORK — Actress Loretta Young late last week rejected a demand by Dixiecrats that she abandon plans to do a television show about an organization which worked to reopen the Little Rock public schools on a desegregated basis.

Not only did Miss Young turn a deaf ear to the threat, but the National Broadcasting Company told the AFRO that it was "in full accord" with her action.

* * *

THE ACTRESS and NBC-TV received a letter from Dr. Malcolm G. Taylor, president of the Capital White Citizens' Council of Little Rock (Ark.) early last week.

In it, Dr. Taylor stated that his organization had learned

To address GOP dinner—

The Baltimore News

Gray, Ike's aid, says outsiders do not know South's racial problems

Bureau Wash.
BY TED YORK
News staff writer

A White House aid to President Eisenhower said here today "it is awful hard for someone outside the South to have a full understanding of the South's racial problems."

This statement was made by Robert K. Gray, secretary to Eisenhower's cabinet. Gray arrived in Birmingham at noon today to address a $25-a-plate Alabama Republican fund raising dinner at the Tutwiler Hotel at 7 o'clock tonight.

ASKED ABOUT the Republican Party's stand on civil rights, Gray said:

"I am really not in a position to answer that question. The president has outlined the administration's stand on civil rights and I will not attempt to elaborate on what he has said."

Asked about President Eisenhower's proposal yesterday that federal referees be sent into the South to assure Negroes of their voting right, Gray said this proposal and others will be closely studied between now and time for the Republican National Convention.

The presidential aid said Vice President Richard Nixon "as of now, is certainly the leading candidate without any question, for our presidential nomination."

GRAY SAID he has had a chance to work closely with, and observe the vice president and "I have the utmost confidence in his ability and integrity."

Asked if he though it was "good for the Republican Party" to have only one candidate clearly leading for the nomination, Gray replied:

"I think it is good for the party that we have one man who is so obviously an outstanding and qualified candidate."

Gray, a native of Nebraska, said "in my own personal and private opinion" Democrats will nominate Stevenson for president and Kennedy for vice president.

"Of course," he added, "this is strictly my own guess or opinion. I am in no position to say what the other party will do."

GRAY SAID he was "delighted" that the latest Gallup poll, published last Sunday, showed Nixon leading Kennedy over the nation and that he was especially pleased that the poll showed Nixon well in front of the Massachusetts senator in the South.

Claude O. Vardaman, Alabama Republican state chairman, said more than 500 Republicans from practically every county in the state will attend tonight's fund raising dinner. Vardaman and other state party leaders met Gray when he arrived today.

The dinner here is one of 80 Republican fund raising rallies being held throughout the nation tonight.

Eisenhower, Nixon, Gov. Nelson Rockefeller of New York, GOP Party Chairman Thruston Morton and other national Republican figures will address all of the fund raising dinners on a closed circuit television hookup.

President Says U. S. Must Check Spread Of Bias

NEW YORK — Freedom and decency can be destroyed everywhere if we ignore "the virus of bigotry" or permit it "to spread one inch," President Eisenhower declared in a message to the National Conference of Christians and Jews.

The President's message was in reply to a telegram sent to The White House Jan. 7, by Dr. John Sutherland Bonnell, pastor of the Fifth Avenue Presbyterian church; Father John A. O'Brien of Notre Dame university and Rabbi Maurice W. Eisendrath, president of the Union of American Hebrew Congregations.

In their telegram, the clergymen, who serve as co-chairmen of the Commission on Interreligious Relations of the National Conference on Christians and Jews, voiced concern over the threat of religious bigotry in the political arena and the recent outbreak of anti-Semitism.

Expressing deep regret, President Eisenhower warned that "in this age, when so much is expected and required of America, we can ill afford to waste a single day combatting bigotry or prejudice at home."

2D SYNAGOGUE IS DEFACED HERE

The New York Times

Swastikas Painted on Wall —More Incidents Abroad

New York

A Jewish temple in the Flushing section of Queens was discovered yesterday morning to have been painted with swastikas. It was the second such incident here in twenty-four hours, the first having involved Temple Emanu-El, Fifth Avenue and Sixty-fifth Street.

Mayor Wagner ordered the Commission on Intergroup Relations to "inquire into these vicious acts."

"New York City has no room—and never will have room—for such Nazi-like tactics," he said.

In the second desecration, Victor Marcano, caretaker of the Free Synagogue, the oldest reform temple in Queens, at 156-23 Sanford Avenue, discovered six foot-high swastikas painted in red, on the rear door and windows of the social hall.

Rabbi Max Meyer, spiritual leader of the congregation, who attributed the deed to "irresponsible hoodlums, teen-agers," said his congregation "enjoyed wonderful relations with the community." He said the act had stemmed from the desecration of synagogue in Cologne, Germany on Christmas Eve.

A patrolman was assigned to special duty at Temple Emanu-El yesterday, as a result of the painting of a swastika on the wall of the temple's community house at 1-3 East Sixty-fifth Street. The Nazi emblem was discovered by policemen Saturday night.

The Rev. Dr. Julius Mark, senior rabbi of the congregation, declared that the action is more shocking than the senseless and cowardly desecration of a house of worship, regardless of its denomination." Dr. Mark also said that the "rash of these shocking and hideous incidents, which began, of all times, on Christmas Eve in Cologne, Germany, could easily have been predicted."

Mayor Wagner's statement follows:

"The desecration of a religious institution is a shameful and cowardly act. People of all faiths deplore and condemn it as a violation of everything we hold dear. I shall use every resource at the city's command to ferret out the perpetrators and to prevent any repetition of such un-American deeds.

"I have directed Police Commissioner Kennedy to investigate these incidents and to keep me closely informed of the progress of his investigation. I have also directed the Commission on Intergroup Relations to inquire into these vicious acts and to report to me on its findings as rapidly as possible. I am certain that the perpetrators represent only a few among our millions of loyal and devoted citizens.

"On behalf of our great city I extend my sincere regrets to the institutions involved for the injustices they have suffered, and I assure them as well as the people of all faiths that New York City has no room—and never will have room—for such Nazi-like tactics. We cannot and will not permit a renaissance of Hitlerism here or anywhere else in the world. We paid too high a price to crush it once before."

'British Nazi' Warning Issued

Special to The New York Times.

LONDON, Jan. 3—Swastikas have been drawn on three Jewish buildings here and some of their windows smashed in the last twenty-four hours. Similar incidents occurred last week.

Early this morning a man who declined to identify himself but who sounded young and well-educated telephoned to a press association and said the vandalism was the work of the "British Nazi movement" as part of a campaign "we are currently conducting.

"We have issued an ultimatum to the Jewish Board of Deputies warning them that unless their pressure on the German authorities to persecute German nationalists ceases forthwith, we shall commence attacks on Jewish property throughout Britain," the caller said.

Spokesmen for the Board of Deputies said they knew nothing of the ultimatum. Their building in Tavistock Square was one of those marked.

The words "Judan Raus" (Jews get out) and signs consisting of two pairs of parallel slanting strokes one above the other were drawn in blood-red wax crayon on each side of the chief rabbi's office. A ground-floor window was broken and a swastika drawn inside the porch of a Jewish museum in the building.

A swastika was drawn in blue crayon on the doorstep and a ground-floor window was broken at the building housing The Jewish Chronicle, a newspaper.

Swastikas in bright red paint were daubed on the main entrance door and walls of the Euorpean headquarters of the World Jewish Congress in the West End.

Persons questioned here said they knew nothing of a "British Nazi movement."



The New York Times

A patrolman prepares a report on the swastika that was painted Saturday night on the wall of the community house of Temple Emanu-El at 1-3 East Sixty-fifth Street. The police washed it off the wall with turpentine.

Incidents in Glasgow

GLASGOW, Scotland, Jan. 3 (Reuters)—A swastika and the slogan "Jews go home" were found painted in two-foot letters on the caretaker's house of the Glasgow Synagogue. The caretaker, a Methodist, had the smear removed.

The rabbi, who numbers the Mayor in his congregation, said, "I am sure our Christian friends will be just as disgusted as we are."

Austria Reports Incidents

Special to The New York Times.

VIENNA, Jan. 3—Anti-Semitic inscriptions and swastikas have made their appearance outside Vienna and in the provinces coincident with the desecration of this capital's only synagogue early yesterday.

Painted swastikas were found yesterday in a street in Neustift am Wald. Anti-Semitic inscriptions were reported on a wall in Liesing.

A report from Klagenfurt, provincial capital of Carinthia, said painted swastikas had been discovered on the Government administration building. Two more were painted on a door in the same street where the Government building is situated. Another was discovered on a park bench.

Crude Signs at Berlin

Special to The New York Times.

BERLIN, Jan. 3—The Berlin police said today that swastikas and the words "Juden raus" were crudely painted on advertising pillars in the suburbs of Dahlem, Wilmersdorf and Schmargendorf last night.

Guards have been posted outside the City's synagogues, Jewish community houses and cementeries, a police spokesman said. The political police are investigating.

In another incident last night, twenty-five neo-Nazis staged a torchlight parade in a isolated area near the Havel River. They marched behind a black, white and red flag with a black paper swastika glued onto it and sang Nazi songs.

Police Guard Synagogues in W. Germany

The Atlanta Constitution

Atlanta Ga.

BERLIN, Jan. 9 (AP)—Jews in West Germany and West Berlin observed their Sabbath Saturday in synagogues protected by armed policemen.

Sept. 1-10-60, P. 17,

It was the first time since the end of the Nazi era that the Jews in Germany had celebrated a Sabbath under the shadow of such outspoken anti-Semitism around the world.

The guards were put in front of the synagogues earlier this week, after Nazi swastikas and anti-Jewish slogans were painted on Jewish homes and temples.

Even as the police marched up and down, fresh evidence of anti-Jewish feeling cropped up. Swastikas were found at a labor office in Bayreuth, the center of the production of operas by Richard Wagner, who was an idol of the Nazis.

* * *

OTHER REPORTS of vandalism came from such widely separated cities as Rome, Lisbon, Stockholm and Lille, France; Paterson, N.J.; Sarasota, Fla.; Baltimore, Montreal and Toronto.

In West Berlin the independent newspaper Der Abend apologized for a swastika that turned up in one of its crossword puzzles. The paper said it was an accident.

The official Communist East German news agency ADN said an increasing number of elevated trains are arriving in East Berlin from Western-occupied West Berlin with swastikas daubed on them.

Authorities in West Germany and Austria reported new arrests.

In West Berlin four men—from 20 to 40 years old—were arrested for making anti-Semitic statements on a drinking spree. This boosted to 27 the number arrested in West Berlin on charges of neo-Nazi activities.

* * *

IN ASCHAFFENBURG, West Germany, two youths, 17 and 18, were arrested for painting swastikas on the walls of a school.

In Bonn two men, 19 and 24, were charged with painting swastikas and anti-Semitic slogans on a Roman Catholic church.

In Austria, police arrested three youths for plastering walls with swastikas and Nazi slogans.

West German army authorities announced they have discharged a 19-year-old soldier who pinned two anti-Semitic leaflets on a barracks bulletin board.

German authorities also took other steps to counter anti-Semitism. West Berlin School Superintendent Carl-Heinz Evers warned that teachers who refuse to tell their students the truth about the Nazis will face disciplinary action.

* * *

EVERS SAID he was acting because most of the men arrested in Germany for the recent neo-Nazi activity have been youths who got their schooling after the collapse of Nazi regime

LUTHERANS ASSAIL ANTI-JEWISH ACTS

Church Unit Calls Daubings Anti-Christian—Brooklyn Synagogue Is Defaced

The United Lutheran Church of America denounced the current rash of swastika-dubbing as "anti-Christian as well as anti-Jewish."

In Brooklyn, despite a police drive to stop the vandalism against houses of worship, vandals scrawled swastikas and "Heil Hitler" on the doors of an Orthodox synagogue in the Williamsburg section. The police said the vandalism took place in the early morning hours.

Jack Tenzer, caretaker of Congregation Beth Israel, 231 Ainslie Street, discovered the desecration on the two front doors of the synagogue at 6 A. M. Sidney Sander, president of the forty-seven-year-old congregation, said that his group had never experienced any difficulty in the neighborhood.

Police on Alert

In the police drive against vandalism, Commissioner Stephen Kennedy has instructed his force to "stop and look" closely at every house of worship. Instructions have been issued to foot patrolmen and radio cars to be on an "especial lookout." Squads of plain-clothesmen have been assigned to neighborhoods where there are synagogues and churches.

In deploring the anti-Semitic incidents, the Rev. Dr. F. Eppling Reinartz, secretary of the United Lutheran Church, declared that the Christian's hope of salvation, his focus of worship and the source of "his highest motivations and authority is the Jew Jesus Christ."

Dr. Reinartz added that "any malicous affront to the people from whom my Savior sprang, I count a dishonoring of His name and nature."

Recently the World Council of Churches, embracing 172 Protestant bodies in fifty countries, denounced the "mischievous anti-Semitic propaganda," and called for immediate action to suppress the incidents.

Dr. John S. Slawson, executive vice president of the American Jewish Committee, hailed the "prompt and decisive action of Christian groups in condemning Nazi-like agitation."

Threat to All Seen

"Clearly," Dr. Slawson said, "Christendom recognizes with revulsion that these Nazi acts are a threat not only to Jews but to the very foundations of all religions."

Dr. Slawson described the acts as "witches' brew fomented by hate groups craving attention, psychopaths and unregenerate Nazis and Fascists."

Mrs. Charles Hymes, president of the National Council of Jewish Women, called for the "strengthening of the spiritual armor of the Jewish community through the study of Jewish history and and the Bible to withstand any possible sociological or moral damage from the anti-Semitic onslaught."

The Associated Press reported that scrawled swastikas were discovered in various sections of Florida.

D. K. Brown, director of operations for the Federal Bureau of Investigation in that state, said that typewritten letters threatening "death to all Jews" were turned over to him by the Jacksonville Jewish Temple and Jacksonville Jewish Center Synagogue. He said he would determine whether the letters violated Federal extortion laws.

Negroes Asked To Condemn Anti-Semitism

PHILADELPHIA (AP) — Twenty million Negroes throughout the country have been called upon to condemn anti-Semitism.

A resolution, adopted Thursday by 25 of the city's Negro leaders, calls upon Negroes and other concerned citizens "to denounce the recent anti-Semitic occurrances in this country and abroad."

"We apprise American citizens of the Jewish faith that they have a faithful ally in the American Negro," the resolution said.

The sponsors included representatives of the National Assn. for the Advancement of Colored People and the Urban League of Philadelphia and the president of the Negro Baptist Ministers Conference.

The Negro in the North—

Muslim aim for all-black state in U. S.

BY HARRY S. ASHMORE

Lenox Avenue and 116th Street was once the main corner of the Harlem that Carl Van Vechten, a popular novelist of the 20s, in that simpler time, without offense could identify as "Nigger Heaven." It isn't an important intersection any longer, but there still stands there a sagging office building bedecked by signs that are intended to signalize the American Negro's protest movement.

A WHITE MAN entering the old building causes a mild flurry. An ancient custodian peers out of his cubbyhole with obvious surprise, and a numbers runner scuttles off down the street to spread the word of possible trouble.

The open cage elevator ceased functioning in some forgotten epoch. Worn, dimly lighted steps take the visitor upward across the yawning distances between old-fashioned high ceilings, and past closed doors that recite their own pathetic litany.

The second floor is the headquarters of the Garvey Club, keeping alive the name of old Marcus, the first and probably the most spectacular of the Black Nationalists.

On the third floor there is the Universal African Nationalist Movement, a splinter of the larger United African Nationalists, which is the private preserve of a smooth-talking public relations man named James R. Lawson. Down the hall a door bears the imprimatur of the Prophet Judah.



ASHMORE

THE FOURTH FLOOR is taken up with a sizable meeting hall which is Temple Number Seven of Muhammad's Islam—the New York center of the so-called Black Muslim movement which now makes militant anti-white sounds in every major city of the country.

All these doors are firmly closed to the white visitor. So are the meetings of the Muslims, where even those with black skins must submit to search upon entry. There is the unmistakable aura here of the secret society—and one who has lived in the South thinks instantly of the ironic parallel with the Ku Klux Klan.

The Muslim movement began, so its reluctant historian say, about 20 years ago in Detroit Temple Number One is now in Chicago, and this is the seat of the aging, bald man who came into the world as Elijah Poole and now calls himself Messenger Elijah Muhammad. The claims made on behalf of the Messenger in his own publication go like this:

"Messenger Elijah Muhammad, spiritual leader of America's Muslims, whose undisputed control of his fast-growing, well-disciplined, fearless young followers . . . and his growing influence throughout the African-Asian world, makes him one of the most loved and respected black men in America. He heads the best organized group of young black people in the Western hemisphere, dedicated young people whose 'unto the death' obedience of his fearless and uncompromising leadership amazes and impresses his sharpest critics."

A call to arms

THERE IS the sound of bugles here, and of a call to arms, and it follows that the Messenger's sharpest critics include the police officials of a number of cities, who keep a wary eye on the movement. In Los Angeles, where the Muslim invasion is fairly recent, Chief Parker has asked in the public interest that the local newspapers not publicize it, and they have complied.

Muhammad does not see white newspapermen, but on occasion his number two man will. He is the prophet of the New York temple and the editor of the sporadic Muslim publications—a thin, intense man of medium color who was christened Malcolm Little, the son of a Baptist preacher, and who will say of his youth that he "grew up all over." Today he calls himself Malcolm X, rejecting his pre-Muslim surname as the unworthy heritage of a white man who thrust it upon a slave forebear.

Malcolm insists that the black Muslim movement is an authentic offshoot of Islam; the Messenger, he says, has made the pilgrimage to the inner shrine at Mecca, and the only reason he hasn't gone himself is that he didn't want to get there ahead of his ecclesiastical superior.

This claim is privately and somewhat indignantly denied by practicing Middle-Eastern Moslems in this country, but there has been no official disclaimer because there seems to be no one to provide it in a religious movement which operates without a priesthood and relies largely upon the individual's inner call.

Sons of the crescent

IN ANY EVENT the black Muslims are unshakable in their assertion that theirs is, among other things, a religious movement. Those who join must sever their ties with other churches. They are enjoined to follow the Moslem dietary proscriptions against pork and alcohol—and for good measure the Messenger on his own notion has added tobacco to the list.

Malcolm says the faithful eat only one meal a day, and face East to say their prayers. Cosmetics and fancy clothing are frowned upon; a hot bat hevery 24 hours is mandatory; and the male members normally shave their heads. Malcolm wears the somber black hat and suit, and the stiff white collar and black tie of the conventional Protestant minister.

Franklin Williams, former NAACP director on the West Coast and now assistant attorney general of California, has said of the movement: "It combines the emotional religious drive of Father Divine and Daddy Grace with the legal and political protest of the NAACP, and on top of that it offers the hope of a black utopia on this earth. Above all, it gives the poor, ignorant, disturbed Negro a sense of identity—something the white world has always denied him. This is its appeal, and it is a powerful one."

The Muslims preach brotherhood, but it is restricted to the blacks. (They reject the term Negro, and refuse to use it.) The white man is an enemy, or at best a neutral entity. Malcolm claims that he can produce 200 of the faithful on any street corner in Harlem within five minutes if there is a racial incident worthy of Muslim attention.

What would they do? "Whatever is necessary," Malcolm says, "but peaceably, of course. We do not start trouble. But we do not turn the other cheek."

MOST VISIBLE Muslim activity consists of picketing—to protest what the Muslims consider white discrimination, or to push the economic line that Negroes should spend their money only with Negroes. This is the pie in the sky, and its most tangible evidence can be seen in Chicago, where the Muslims operate their own school (for children mostly, but proudly called the University of Islam), grocery stores, restaurants, garment manufacturing plants, and a rudimentary department store.

This, proclaims the Messenger, is the shape of the American Negro's future—a completely separate and self-sufficient black community which will not have to depend upon the white man for capital, services, or employment.

The dream of autonomy

MALCOLM TAKES the dream to its ultimate absurdity.

"Marcus Garvey was right as far as he went," he says, "but he was wrong in telling Negroes they should go back to Africa to achieve their goal. We're going to build our own society here in the United States. We're going to have our own all-black state."

Malcolm's vision is a complete entity, with its own government, and presumably, with an official connection or at least diplomatic relations with the United States. Where would he locate it? He was not specific, but he did summarily reject the suggestion of a Negro reporter that there were some people in the country who might be willing to give him one of the Southern states.

Malcolm shows no sign of being aware that what he and the Messenger are really preaching is the basic segregationist doctrine of the Citizens Councils—and, to add the ultimate touch of irony, the separatist policy that in the 20s and 30s was part of the American Communist Party line.

THERE IS A STRANGE, intense innocence in this man, who freely talks about his own conversion to the Muslim faith during the seven bleak years he endured in a Massachusetts prison after being convicted of breaking and entering in the nighttime.

Malcolm himself still does a considerable amount of recruiting for the movement in the local jails.

Prison conversion experience

"PRISONS are all corrupt, you know," he says, out of the wisdom of experience. "If you've got the price you can get anything in jail—cigarets, liquor, even dope. We think a man ought to be able to get the true religion in jail too, and we try to provide it.

Most of the prison officials won't recognize us as a religious group, and I have been denied visiting privileges in some places. But we've got converts in all the major prisons. And when those prisoners come out they'll be wonderful additions to our movement. Cowards don't go to jail, you know. We'll rehabilitate these men and women and they will march in the ranks."

There are, of course, no available membership figures on the Muslim movement. Even as does the Kleagle of the Klan, Malcolm only grins wisely and says, "We're big and we're growing."

Muslim literature lists the main centers as Chicago, Detroit, Boston, Pittsburgh, Newark, Los Angeles, and New York, but there are small groups active now even in many of the Southern cities. The symbolic use of X as a last name (the first John to join is John X, the second is John X2, etc.) serves as a public mark of

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

identification, and can be used as an instrument of pressure.

THUS WHEN advertisements start appearing in Negro newspapers identifying the advertisers as John and Mary X, the publisher can assume that a Muslim leader will soon be around to discuss editorial policy. The Muslims have leaned hard on the Pittsburgh Courier, which circulates nationally, and on New York's Amsterdam News.

"It is interesting," says Malcolm, who also edits the sporadic Muslim rotogravure magazine, "that while the Courier carried a column by Mr. Muhammad, the circulation went up. When we discontinued the column the circulation went down."

Whatever the reason, the Negro press now generally treats the Muslim movement seriously, and in its usual sensational way probably gives it a certain added impetus.

Even so it is doubtful that any of the temples, with the possible exception of Chicago's, could count an actual membership of more than a thousand. The Muslim rallies rarely attract an attendance in excess of that figure, and it must be assumed that the audiences are padded by curiosity seekers, colored newspaper reporters, and undercover agents of the police.

But even a few fanatics can make a fairly loud noise, and the Muslims have discovered another truth—that it is part of the white man's racial myopia that to him a couple of dozen colored men look like a crowd, and possibly even the beginning of a mob.

The Muslims, then, are rather pathetic symbols of Negro unrest. They are not themselves going anywhere. But as long as they are around and talking it is a reasonable assumption that the great mass of American Negro people are not going to be content to stand still.—(c)

The Negro in the North—

The Birmingham News

Both misery, violence live in ghettos

Birmingham Ala.

Dec. 5-10-60

BY HARRY S. ASHMORE

Negroes like to repeat the old saw that is presumed to explain the difference between the North and South:

In the South the white man doesn't care how close a black man gets so long as he doesn't get too high; in the North the white man doesn't care how high he gets so long as he doesn't get too close.

It retains an element of truth. The white man who lives outside the South doesn't really see the Negro if he can help it, and when he can't help it he is likely to be irritated and alarmed. The word, Negro, flashes in the back or his mind accompanied by another—problem.

Once they were thought of as exotic, and sophisticated whites made pilgrimages there as they would do to a tropical country. In the 20s and 30s the fashionable last stop for a night on the town in New York was Harlem. Anita O'Day used to sing:

If it's pleasure you're about,
And you feel like steppin' out,
And you've got to do is shout:
Let me off Uptown.

White tourists long gone

UPTOWN THEN WAS THE Cotton Club and the Savoy, and a dozen glittering supper clubs where the prohibition law and the closing ordinances could be bent for a price. It was a place where Satchmo blew his golden horn, and high yellow girls strutted under the blue spotlights, and old Bojangles tapped out his wonderful, loose-limbed message on the hardwood staircase.



ASHMORE

The white tourist trade is long gone. In all of present day Harlem there are perhaps six or seven night spots that still provide live music, and this the product of obscure combos that attract no more than a handful of the far-out music set. A night club still bears the name of Count Basie, but the Count doesn't play there anymore; like all the other top Negro musicians he has gone downtown to the expensive white night clubs. And in the increasingly open city of New York the Negro jazz aficionados can follow the cats; if they've got the price, a ringside table is available to colored people, too, at Birdland and the Blue Note and the Downbeat.

So there is no reason for the white man to go into Harlem anymore, and he sees it only from the commuter's train window, and usually hears of it only in newspaper headlines that tell of crime and corruption, and in the somber statistics composed by sociologists.

A passing glimpse from the elevated tracks of the New York Central does tell something of the story. There is misery and squalor behind the streaked tenement windows; swarms of yelling, pink-heeled children do run untended in the garbage-strewn streets; at night a dim streetlight does pick up the slumped form of a wino propped against the wall of a dingy neighborhood bar.

And it is true that the bright, red skein of violence runs through the varied fabric of community life in Harlem, and every other big city Negro ghetto.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

Accurate figures on Negro crime are not easy to come by. In New York and other cities, in response to pressure from the NAACP and allied agencies, most public criminal records no longer carry a racial identification. Newspapers, responding to the same pressures, generally avoid the racial tag in their crime reports. The humane objective is to avoid overemphasizing the incidence of Negro crime; after all, it is argued, Italians, Irish, Jews, Poles, and even WASPS (white, Anglo-Saxon Protestants), also commit crimes and are not identified by ethnic background. The result of the policy is often the reverse of the intent—to reinforce the exaggerated fears of those whites who assume that virtually all big city crime is committed by Negroes.

The Birmingham News

Negro crime pattern shocking

THE LAST FBI REPORT which attempted to summarize the matter showed that in 1551 cities Negroes, who make up about 10 per cent of the total American population, accounted for about 30 per cent of all arrests, and 60 per cent of arrests for crimes involving violence or threat of bodily harm.

Birmingham Ala.

Dec. 5-10-60

In 1958, "Time" magazine, reaving what it termed a "shocking pattern," offered this rundown based on the probing of its correspondents:

New York (14 per cent Negro). Of the prisoners confined in houses of detention last year to await court disposition of their cases, 44 per cent of the males and 65 per cent of the females were Negroes.

Chicago (15 per cent Negro). In 1955 twice as many Negroes as whites—1366 to 679—were arrested on charges of murder, nonnegligent manslaughter, rape, and robbery.

Detroit (25 per cent Negro). Two out of three prisoners held in the Wayne County jail are Negroes . . . of last year's 25,216 arrests resulting in prosecution, excluding traffic cases. Negroes accounted for 12,919.

Los Angeles (13 per cent Negro). In 1956 Negroes accounted for 28 per cent of all arrests, and 48 per cent of the arrests for homicide, rape, aggravated assault, robbery, burglary, larceny, and auto theft.

San Francisco (7 per cent Negro). The victims of 896 of last year's 1564 recorded robbery cases reported that the assailants were Negroes.

Ghettos pose special problems

IN ANY EVENT, the details are not really important. There is Negro crime, a great deal of it, and of all varieties from the relatively innocent peddling of number tickets to the brutal mugging of unwary after dark pedestrians in Central Park.

The existence of the Negro ghettos poses special problems for the big city police. There is, at one end, the protective sensitivity of the Negro people who tend to fear the law and to refuse to cooperate in routine enforcement. At the other end there is the ghetto's corrupting influence on the police themselves. Some succumb to the ready temptation to go on the take in return for ignoring petty gambling and vice; others give in to the human tendency to take out the frustrations of uniformed life on persons who can't fight back—and thereby contribute some facts to the lurid tales of police brutality which are the Negro newspapers' stock in trade.

In New York Police Commissioner Stephen Kennedy has approached the problem in two ways. In the sensitive areas white and Negro policemen usually work in teams, and the commands are regularly shuffled in the effort to deliver the officers from temptation. On top of this there is a trouble-shooting force of "Commando Cops"—all six-footers with special judo training in handling the mobs by hand, without recourse to the firearms which are always likely to ignite the fuse of a tense situation.

Even so, the Commissioner's troubles go on. In recent week scandal has rocked his departement again, this time in terms of the disclosure that for a price it was possible to have the official records in the central identification buereau altered so that a ten-time loser among the numbers runners would appear before the judge as a first offender. A numbers runner, of course, is by definition a Negro, and so the fix begins in the colored neighborhoods—although it is a reasonable assumption that it was actually arranged and paid for by the white gangsters who run the lottery racket and take off most of the profits.

Pattern reflects Negro bitterness

AT THE OTHER END, even the Commando Cops have had their troubles in the rougher Negro neighborhoods. In the Bedford-Stuyvesant area of Brooklyn, probably the toughest spot in all New York, a hostile crowd of 500 poured into the streets after a stray bullet killed a delivery boy, and the police officials who handled the emergency situation reported that only the grace of God averted a riot. A few days later one of the Commandos was mobber and mauled in the course of a routine arrest of a Negro on complaint of his wife.

At its most alarming, the crime pattern reflects the cutting edge of Negro bitterness against whites—a senseless, compulsive striking back against oppression, real and fancied, and against authority, which for the Negro equates with a white skin.

But seen in any perspective, it is clear that this is only a minor part of the problem, and not in fact a growing part. The sociologists contend that crime is an inevitable product of the American ghetto, whatever the pigmentation of its residents. Wherever there is human misery, and little hope for a cure, there emerges a pattern of broken homes and untended children, and in the end a kind of sullen revolt not only against the law but against the convention of society.

But there is a great deal more to the Negro communities than the symptoms of violence which disturbs the untutored white. There are, in Harlem, quiet streets where on a warm night you may come upon a pipe-smoking Negro in Bermuda shorts peacefully walking his dog.

Harlem in fact has most of the hallmarks of a small town. There are dark turnings into which a man wearing decent clothes and a little gone in liquor would proceed only at his peril—but if he were rolled an objective appraisal of the facts would probably reveal that it was done without particular malice, and without regard to race, creed, or color.

Men, women drive for oblivion

IN THE BRIGHTLY LIGHTED commercial areas, where the ordinary humdrum business of life goes on, a man with a white skin can make innocent passage. If he is looking for trouble he can probably find it, and wind up carved like a Christmas turkey. But if he minds his own business he will be treated with courtesy and respect—the special, almost painful politeness that any close-knit community reserves for the identifiable stranger in town.

Even on a hot Saturday night, in the places a proper middle-class Harlemite would call "blood and guts joints" and assiduously avoid, a stray white man has no special feeling of tension. The impression is not one of unrepressed hilarity and unleashed inhibitions. Rather it is one of slow, weraing misery. The long line at the bar, knocking back the 30-cent "doubles," which in fact are thick-walled shot glasses containing a one-ounce dose of the cheapest blended whisky, is made up of men and women who seem to be trying to get through the long night and reach oblivion.

There are still a few visible signs of the Old South, which spawned the grandfathers, some of the fathers, and the declining number of newcomers for whom these Negro ghettos are receiving depots. There are still restaurants bearing crudely hand-lettered signs advertising "chitterlings with two vegetables, 90 cents," or "pogies and whiteys, 75 cents." The store-front preachers are still around, shouting salvation as they used to do in Montgomery, or Charleston, or Memphis. Even on 125th street, above the neon-lit, plastic-fronted chain store fronts where the busy week-end shoppers pass in and out, second floor windows silhouette the writhing forms of young girls and old, lumpy women far gone in the religious ecstacies of a soul-saving conducted in the name of the late Daddy Grace.

You can find almost anything in Harlem, if you look: decent, sober people trying to make out against the odds and sometimes succeeding; innocents from the back country or the Caribbean islands who will never understand the meaning of the great city whose towers loom beyond the park; and those who, inherently crippled or maimed by circumstance, have slipped over the edge of the great social abyss of our time.

You can find in the ghettos almost anything but happiness. The bluebird nests somewhere else.—(c)

Coming in The Birmingham News Monday—

The Birmingham News
Birmingham, Ala.
Sun. 5-8-60

Harry Ashmore's report on Negroes in the North



ASHMORE

The New York Herald-Tribune commissioned Harry S. Ashmore, much discussed former editor of a Little Rock, Ark., newspaper, to investigate and write what it calls "a candid report on the American Negro . . . his problems in living, housing, employment, politics, business."

Ashmore's report, in 12 articles, is a most interesting document. The editors of The Birmingham News believe the people of Alabama are entitled to know what Ashmore reported to The New York Herald-Tribune.

So that Alabamians will be fully informed we urge you to read

The Ashmore Report
In Monday's Birmingham News

The Negro in the North—

Long move takes family to new slum

BY HARRY S. ASHMORE

It is not an easy thing to be Robert William Daniels of 325 Lenox-av, Harlem.

If you live at that address it is a foregone conclusion that you inhabit a dark skin. Daniel's is medium brown, his wife's is even darker, and the shading runs off toward dusty blue-black among the 10 children and one grandchild who make up the Daniels family.

This small horde lives in five tiny rooms, strung together shotgun style, on the third floor of a creaking building that surely is ticketed to go down one of these days before the bulldozers of slum clearance.



ASHMORE

It is a place where the cockroaches run, and the rats, where the garbage moulders in halls pocked with old obscenities carved by forgotten residents, and where the shrill voices of angry tenants echo, unheeded, through the night.

It is not, by a long shot, the worst tenement in Harlem. But it will do as a symbol of the poverty that even in this abundant society still blights much of the area.

It is the only home Daniels and his growing family have known since the founders and the first born came to New York from Macon, Ga., 15 years ago.

Robert William was 24 then. His wife, by his estimate, was 15, but she insists primly that she was 16 when he sent back for her.

Over the years the mathematics of this union have doubtless confused the numerous social workers who have trudged up the steep and cluttered stairs—but the evidence of its success is unmistakably there in the persons of the remarkably healthy and composed children who play quietly in the cluttered rooms even while strangers are being entertained.

The Daniels receive guests, after supper at least, under something of a disadvantage. The two adults, when I called, were horizontal, propped up in bed before a television set which had attracted a predictable quota of the younger children. There was only space for two plastic covered chairs between the double bed and the bleached oak bedroom furniture which lines the walls.

There was no need to explain this informal arrangement. Coming into the apartment from the rear you pass the tiny kitchen with its utilitarian equipment. From there on the rooms are understandably filled with beds.

'Eat and go to bed'

"ONE OF THE THINGS I hate about this place," Mrs. Daniels said, "is a man comes home from work and takes off his pants and there is no place to hang them. No closets, no place even to throw them down. All you can do, you just eat and go to bed, and maybe look at the television.

"It's bad," Robert William agreed, "but I reckon I don't mind it as much as Pat does. She stays cooped up here all day, and I get out, and that makes it easier."

When he goes out Robert William proceeds three blocks to the Harlem office building he tends as superintendent. Firing the furnace, cleaning the halls, and hustling a few odd jobs for the colored tenants brings in an income that never exceeds $250 a month and often falls well below. In times past the Daniels have been intermittently on the welfare rolls, but theirs is a borderline case. Besides, Mrs. Daniels doesn't like the social workers.

"They come in here and they want to know how we can afford the telephone, and who paid for the good bedroom furniture, and I tell them my sister-in-law is keeping up the payments and they don't believe me," she says with a snort of disgust. "If we can make do without the welfare, we do."

"I manage to keep them fed and dressed decent and in school," Robert William says with a wave at the circle of dark young faces looking solemnly in from the next bedroom, which is without a shielding door. "It's the housing that's so bad, having to live all huddled up like this. I'm still trying but I haven't licked that."

Barred from public housing

THE BIG PROBLEM is the very size of his family. It has practically barred him from low-rent public housing, which rigidly limits per room occupancy and rarely provides apartments big enough to accommodate a family of 13, with more doubtless to come.

"I have walked my feets off going to the projects," Mrs. Daniels says. "I just get a lot of talk, and then I have to come back and live like this. I declare if it keeps up I'm going to have a nervous breakdown."

"She won't, though," Robert William says fondly. "She talk like that, but she strong. Somehow we going to make it. I got a feeling the break is coming."

It is difficult to see where it is coming from. Robert William obviously can't afford more than the $35 he now pays in monthly rental—and he has all the private housing that sum will buy in Harlem. At 39, his income would seem to be limited permanently by his lack of any real skill.

He's a big man, and a husky one, and those who know him say he works hard. But schooling ended for him in Macon at the sixth grade, and he learned nothing more than use of his muscles when he worked as a helper in the yards of the Central of Georgia Railroad.

"I wasn't getting anywhere, just leveling the coal on the tenders and things like that, and so when my father-in-law came back from New York and said he could get me a job up here I decided to come," he says. That job was as superintendent of the building in which he still lives. It became the only trade he has followed since he grew to be a man.

Why do they migrate?

THE MOVE FROM MACON, then, hasn't improved the physical environment of the Daniels. Their tenement is one of those once described by Thomas Sancton as "a hundred Delta cabins, plus tuberculosis." And plus the incessant noise, crowding, confusion, and hazard of big city streets.

Why did they come?

Robert William is not an articulate man, and he finds it hard to explain.

"Well, the chance of a better job, of improving myself," he says. "It's not much better, but the chance is here. And freedom, I guess—knowing if I got in trouble the law wouldn't always be against me. And feeling like a man. You can't do that in the South, they just won't let you."

"Lord, yes," Mrs. Daniels chimes in. "I went to Macon last year to bury my mother, and they are all walking around crying the blues. We wouldn't go back to stay, not ever."

"But mostly for the children," Robert William says, gazinz upon his brood with gentle eyes. "It's hard for them to grow up here, but if you look after them and treat them strict they can make it. All mine have stayed out of bad trouble.

"Hard as it was, I never would let Pat take a job when they were real little. After the biggest girl got old enough to stay home and look after the others, Pat would go out and take domestic work sometimes. That's when we got the phone—so if anything happened somebody could call her or me."

The things that can happen to a Harlem slum child are, of course, legion. But Robert William thinks things are getting better.

"I've lived right here for 15 years, and I've seen the changes. There are more parks, and playgrounds. And when they tear down some of these old buildings and thin the people out it helps.

"Used to be there was fighting all the time in the streets. I've seen men dead on the sidewalk right under these windows. You don't see much of that any more, and you don't hear the loud cussing, and the prostitutes don't strut around like they used to."

Drug addicts, alcoholics on the streets

"THERE'S STILL THE WINEHEADS and the junkies. Seems like as many get hooked as ever did, and they just walk around dying with it and they can't quit. I see a lot of the young men go that way, and it's just like they trying to kill themselves.

"But you know, it's a funny thing, they usually kind to children, and they come and tell me or Pat when they see one of our young ones going somewhere he shouldn't. That's when I crack down.

"I remember when the big boy tried to start smoking. That was when he was 13 or like that, and I grabbed him and said don't you forget, I'm your daddy and you may have had more schooling than I did but I've lived longer and I'm bigger than you are and if I catch you with a cigaret I'll knock it down your throat."

Hope for the future

HE'S NOT BIGGER ANY MORE. At 19, Robert William Jr. has shot up to six feet two, and one of the family dreams is that the basketball prowess he displayed at Commerce High will yet bring him a college scholarship. His picture, in his graduation cap and gown, stands on the oak dresser as something of a shrine. He, clearly, is the hope of the future.

The boy is working now as a messenger in a wholesale liquor firm, saving his money, and going to night school to make up the credits he will need for college. In September the Daniels hope to be seeing him off to Howard University, the old Negro institution in Washington. If he makes it, he wants to study pharmacy.

The oldest girl, the deserted mother of the grandchild, is taking a secretarial course. The other children stair-step down

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through the grades of public school.

If these plans succeed, the children will move out of the closed Negro world in which their parents live and will likely die. The orbit of the elders is wholly within the ghetto; the crowded tenement, the office building where Robert William works, the Baptist Church where they worship, the neighborhood bars in which he buys an occasional shot of cheap whisky. The rare family excursion is to Paterson, N. J., to visit cousins who also made the pilgrimage from Macon.

Whites are abstractions

IN THE COURSE OF HIS DAYS, Robert William has few contacts with whites and displays little personal animosity toward them. They run the world that presents his immediate, endless, and consuming problem of food and clothing and shelter, but they are abstractions beyond his ken.

"I listen to the politicians talk, and I try to read up on things, but none of it seems to change much. I've been to see the district leader about getting in the housing projects, but it's just like going to the Urban League or the NAACP—just more talk. I vote all right, sometimes Democrat and sometimes Republican, and sometimes the split ticket. Pat here, she don't even bother, hasn't voted but once since we left Georgia," he says.

For the children it will be different. With their father's blessing they will be heading downtown, into the white world which long ago closed out Robert William and his kind.

And one thing is certain. None of the Daniels, old or young, is heading back to Georgia.

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Negro Ghettos in the North

The Atlanta Constitution

Powell Would Lie or Cut Your Throat, Ex-Aide Says

Atlanta, Ga.

Atlanta Ga.

Atlanta Ga.

Atlanta

big switch in 1956.

"I still like Adam. It's hard not to like him. He'll cut your throat if it suits his convenience and the truth is not always in him. But with all of that, there really isn't any malice in the fellow. Sometimes I think that may be part of the problem—that he just doesn't really care enough about anything, except Adam Clayton Powell."

It is not even certain that Powell has the usual politician's drive for power. The influence he has acquired so far he has used mainly to guarantee his personal pleasures, which are expensive—Upmann cigars, Napoleon Brandy, a midtown suite in an expensive hotel, frequent trips to the European watering spots, a beach house in Puerto Rico. He travels with an entourage like an old-fashioned gangster's or a television comedian's—press agents, check-payers, door-openers, telephone-answerers and several remarkably pretty girls.

These things the Negro people have given Powell. He has given them little in return, except perhaps hope, which is not an inconsiderable commodity. It will be interesting to see in the years ahead if the Ray Joneses in the back rooms can parlay it into the reality of jobs and civic betterment.

38a 1960 GENERAL SERIES- MR. HARRY S. ASHMORE

The Negro In The North

Segregation 4 Centuries Old

Colored World Haven For Some And A Frustration For Others

The Courier-Journal
Louisville, Ky.
Wed 5-18-60

By HARRY S. ASHMORE

In their more than 400 years of residence on this continent, from the slave quarters of the Old South to the ghettos of today's great industrial cities, Negroes for the most part have lived apart from whites.

In the South they were walled off by the legal barriers now being systematically struck down by the United States Supreme Court. Elsewhere their comparatively recent arrival in force has produced extralegal devices for residential segregation which, although often contrary to declared public policy, have effectively reproduced the Southern pattern they sought to leave behind.

The shoulders of whites and Negroes rub increasingly in the work place, in public institutions, in the marketplace, and in areas of public accommodation.

Paths Sharply Diverge

But when the whistle blows or the wall clock marks the end of the work day, the paths of homing whites and Negroes sharply diverge.

In the rush hour a northbound New York subway starts out with a richly mixed human cargo. On the journey uptown, the whites steadily thin out until, as the train pounds across the shifting boundary of Harlem, only Negroes and Puerto Ricans are left.

For some, and perhaps for most Negroes, a segregated neighborhood provides a welcome retreat from a white world that can be hostile when it is not indifferent. Dirty, crowded, generally depressed the home territory may be, but it still represents a haven where a black man can relax with his own kind, immune to great indignities and small affronts.

Housing No. 1 Problem

For others—and their number increases with the rapid growth of the new Negro middle class—the rigid, invisible walls are a source of mounting frustration.

For the community at large the Negro ghetto stands as a great unresolved social problem, a focus of poverty, vice, crime, and human misery that can spread their infections through the whole of the body politic.

For reasonably well-to-do Negroes as well as the very poor, housing ranks as the No. 1 problem—the greatest single source of privation and of grievance. A Negro still encounters prejudice and discrimination in every area of everyday living. However, in employment, education, politics, and free access to public institutions and services, an optimistic colored man can now see daylight. Despite a great deal of talk, and some action, the slum in which he lives remains uncleared; nowhere has progress kept pace with the spread of urban blight.

Little Change Expected

The 1950 census provided these measurements:

More than 60 per cent of all urban Negro families lived in substandard dwellings — units either dilapidated or lacking minimum sanitary facilities. The percentage of whites in such dwellings was less than 20 per cent.

More than a third of urban dwellings occupied by Negroes were classified as crowded by a rather primitive standard, that is containing more persons than rooms. Only one white family in eight lived under similar conditions.

There is no reason to believe that the data currently being collected by the census takers will substantially alter this dismal picture.

Negro Pays More

These are only rough internal dimensions of the Ngro housing problem. The dwellings available to colored tenants or purchasers are usually in jam-packed areas deficient in parks, playgrounds, and public services, and served by the oldest and most decrepit of public schools.

In many cases the neighborhoods are threaded among industrial and commercial districts. The Negro often finds himself lodged uncertainly in housing that is slated to make way for nonresidential structures, and therefore is subject to no more maintenance and upkeep than casually enforced laws may require of his landlord.

With all of this, square foot for square foot, and in terms of services rendered, the Negro usually pays more for housing than any other class of our citizens. Great profits in slum property are still possible for a callous investor; that such are still around is indicated by the tales of calculated exploitation that fill the docket of New York City's special Housing Court.

Results Can Be Seen

There has been, of course, a sporadic public assault on the urban slums over more than two decades, and tangible results can be seen in every city. Harlem provides a notable example, with great areas of moldering tenements sawed away to make room for low-rent public housing and so-called Title 1 medium-income private housing. The process is so well advanced that the district, riverbound in its upper reaches, may actually show a decline in population as a result of the resulting wholesale reductions in population density.

The trouble is that the tide of Negro and Puerto Rican newcomers still runs ahead of the bulldozers of slum clearance. The patchwork program, running in fits and starts in response to recurring economy waves in Washington and onslaughts from private real-estate lobbyists, cleans up a corner of one slum but may send a surplus of displaced residents out to found another depressed neighborhood somewhere else.

Even so, the results produced by low-rent public housing in the lower reaches of the Negro housing problem are impressive. Negro families enabled by public subsidy to move into these projects make an astronomical improvement in their physical environment, and the process is producing measurable results in the rising generation.

It seems reasonable to assume that public housing as a basic tool of urban renewal is now firmly built into federal policy, and that the coming change in the political climate in Washington will bring a new priority and vigor to the program no matter which party carries off first prize in November.

Although all public housing is now theoretically unsegregated, and a considerable amount of fringe neighborhoods is so in fact, it still follows that the program will tend to perpetuate segregated neighborhoods.

'Huddle By Choice'

Even when cleared slum land is put to nonresidential use and the former residents of the area are physically relocated some distance away the separate pattern is likely to reemerge.

Indeed, the evidence is quite clear that Negroes of the lower-income and attainment level will huddle together by choice, even without the strictures of prejudice.

The great, unresolved problem is to make provision for the increasing number of Negro families who have climbed the ladder to the middle class. Like their white counterparts, who emerged from the same ghettos a generation or more before them, they want to remove themselves and their children from the slums, and they have income sufficient to pay their own way. Except for a hardy few in the higher income brackets, however, they are simply denied the right to move as they see fit.

Other ethnic and religious minorities have encountered the same barriers in the past—and for some, notably Jews, some restrictions still exist. But no other American suffers restraints on his mobility comparable to those reserved for nonwhites.

By- HARRY S. ASHMORE

Negro Ghettos in the North

Drumbeat of Africa Revolt Is Echoing in Cities of U.S.

By HARRY S. ASHMORE

Harlem's favorite joke these days goes like this:

Two colored maids are rattling uptown on the subway at the end of the day's work. One is telling the other about her new job.

"They're fine folks to work for, and it sure is interesting. They entertain a lot and know all the important people. Why just last night for dinner we had Vice President Nixon, Adlai Stevenson, Governor Rockefeller, Sen. Lyndon Johnson, Mayor Wagner, Mrs. Roosevelt, Dag Hammarskjold, Clare Boothe Luce, Chief Justice Warren, Helen Hayes, Carl Sandburg, and Robert Frost."

First in a series.

"Sure enough? When big people like that are just among themselves, what do they talk about?"

"Us."

This pointed fable has currency not only in uptown Manhattan, but in all the swarming big city ghettoes for which Harlem stands as a symbol. In its sly way it says a lot about the fermented mood of America's colored minority — and about the increasing concern and perplexity of the white majority.

The response it evokes still reflects the rich humor of a people who have learned in adversity that laughter can be a saving grace. But there is an edge of bitterness, too.

In the Red Rooster, where Harlem's intelligentsia exchange the latest word, a light-skinned man — middle-class in dress, manner and speech — hears the joke and adds his own footnote:

"Well, they've got a lot to talk about — and not much time left for talking."

Across the street from the Rooster, behind the weathered charcoal walls of the Abyssinian Baptist Church, the nation's most spectacular Negro spokesman offers a self-serving variation on the theme.

In the austere auditorium, Adam Clayton Powell stands before a strangely wrought brass cross presented by the Lion of Judah, Haile Selassie, facing a primly starched Sunday afternoon congregation come to protest the latest atrocities in the Union of South Africa. The handsome preacher-politician spreads his arms and intones:

"I came back from the Bandung Conference in 1955 — five years ago — and I went to the White House and I told Mr. Eisenhower the shape of the future. 'Mr. President,' I said, 'I have been there and I have seen and I have heard. And I say to you, Mr. President, this is the truth America must recognize if we are to survive: The timetable of freedom is no longer in the white man's hands!' "

The response from the audience is a rising, muted sigh. (You do not shout and holler in a proper Negro church these days.) And one has the feeling that Rep. Powell once again has struck the right chord, and in return these good and earnest people are prepared to wash away their pastor's numerous sins.

At the corner of Seventh avenue and 125th street, when the weather is right, you can hear the voice of Negro protest in its harshest accents. Here the patient policemen stand by while their braying loudspeakers preach the gospel of Black Nationalism, at home no less than abroad. The tone and, remarkably, most of the vocabulary, are those of a White Citizens Council rally in a Deep Southern town.

The targets are white politicians and businessmen, the "lying newspapers," the "phony liberals and the bleeding hearts and the do-gooders," and even the National Association for the Advancement of Colored People, which at this far end of the oratorical spectrum stands as a conservative organization.

Here, naked and undisguised, you come upon what — if it were not for the intricacies of the Negro attitude— would have to be written down as anti-Semitism.

A young man in a white trenchcoat leans into his microphone and shouts: 'The Jew-dominated NAACP is no friend of yours!" A dozen of the faithful in the front row shout back: "That's right!" Beyond them, silent and thoughtful, stand a hundred or so more who have paused in their routine passage down the broad sidewalk. Change the skin color, make a few minor alterantions in the script, and you can shift the scene intact to Heflin, Ala.

These sights and sounds do not, of course, reflect the total mood of the Negro community. In many and probably in most cases they are contrived and manipulated by a horde of colored con men who, like their white Southern counterparts, have discovered that it is possible to make a living out of exploiting a people's anguish and resentment.

The litany at Seventh and 125th is not new. Forty years ago the founder of Black Nationalism, Marcus Garvey, paraded through these streets under a banner bearing a black star, proclaiming separatism for the Negro people and calling for a march back to Africa. In the 1930s the corner was inhabited by a man from Philadelphia who called himself Sufi Abdul Hamid and sported a beard, a turban, a green velvet blouse, a Sam Browne belt, patent leather boots, and a red-lined cape. Sufi, too, preached: Buy Black, Boycott White—and honed an edge of anti-Semitism against Harlem's Jewish landlords and storekeepers.

The slogans of Negro protest that sound now from St. Augustine to San Francisco have been heard before — but what is new is the fact that no Negro leader of consequence any longer can afford to ignore them. Now the crude harangue of the charlatan echoes the drumbeat of revolt in Africa, and the dignified resistance movement of Negro college students in the American South. These things are no longer emotionally separable.

The NAACP, the Urban League, and most educators and ministers of conservative churches still stand against the extremists, but with increasing caution. Negro politicians try to avoid formal identification with the Muslims, the African Nationalists, the Garveyites, and the various offshoot groups, but their public stance rarely advances beyond neutrality. The militants have forced some previously critical Negro newspapers into silence, or even active support, by the open threat of boycott.

Here, as in the white South, the advocates and the devotees of extreme action are no more than a tiny minority of the total population. But the loud voice, and the threat of a concerted move by a disciplined group, has its effect. So, too, and perhaps more importantly, does the emotional response aroused in even the most conservative Negro by an unabashed cry for vengenance against the whites who are the authors of his real and fancied grievances.

"I know as well as you do," says a suave Negro politician, "that the Muslims and the others are talking nonsense when they talk about boycotting the whites and creating a separate Negro state in this country. I know these movements are small and filled up with crackpots and phonies, and that in the end they won't get anywhere. But when they give the white man hell every Negro likes to hear it."

These are far from being the elements of revolution, but they do portend change—social, political, and economic change to fit the still unrecognized facts of the vast redistribution of Negro population within the United States.

The great migration from the South is not yet over, but the 1960 census will show that more than half the country's colored population already lives outside the old Confederacy. This fact alone makes the headlines that record the dramatic final assault on the crumbling walls of Southern segregation little more than a historical footnote.

In the second half ot the 20th Century the American Negro will find his future—and increasingly will insist upon shaping it on his own terms—in the great cities. Already the roll call runs like this: New York, 948,196; Philadelphia, 516,000; Washington, 438,250; Cleveland, 150,000; Detroit, 400,000; Pittsburgh, 82,983: Chicago, 706,000; San Francisco, 81,469; Los Angeles, ranks between Philadelphia and Chicago.

Series on Problems of Negroes Living in North to Start Monday

The Atlanta Constitution
Atlanta Ga.
May 5-5-60

A series of 12 articles on the Negro in the North, based on a first-hand study of his problems in living, housing, employment, politics and business by Pulitzer Prize winner Harry S. Ashmore will begin Monday in The Atlanta Constitution.

This study by Ashmore, former Little Rock, Ark., editor, will report on the "block-busting" technique and the thinking of Negroes on the leadership of the National Association for the Advancement of Colored People and the Urban League.

This series, "Negro Ghettos in the North," will appear daily in The Constitution.

Negro Ghettos in the North

The Atlanta Constitution

Race Rancor a Minor Part In High Negro Crime Rate

Atlanta, Ga.

Negroes like to repeat the old saw that is presumed to explain the difference between the North and South: In the South the white man doesn't care how close a black man gets so long as he

Second in a series.

doesn't get too high; in the North the white man doesn't care how high he gets so long as he doesn't get too close.

It retains an element of truth. The white man who lives outside the South doesn't really see the Negro if he can help it, and when he can't help it he is likely to be irritated and alarmed. The word, Negro, flashes in the back of his mind accompanied by another—Problem.

The great and growing colored communities that exist now in the hearts of the great cities and on their industrial fringes, are beyond the white man's orbit.

Once they were thought of as exotic, and sophosticated whites made pilgrimages there as they would do to a tropical country. In the 20s and 30s the fashionable last stop for a night on the town in New York was Harlem. Anita O'Day used to sing:

"If it's pleasure you're about,
And you feel like steppin' out,
All you've got to do is shout:
Let me off Uptown."

Uptown then was the Cotton Club and the Savoy, and a dozen glittering supper clubs where the prohibition law and the closing ordinances could be bent for a price. It was a place where Satchmo blew his golden horn, and high yellow girls strutted under the blue spotlights, and old Bojangles tapped out his wonderful, lose-limbed message on the hardwood stairs.

The Atlanta

The white tourist trade is long gone. In all of present day Harlem there are perhaps six or seven night spots that still provide live music, and this the product of obscure combos that attract no more than a handful of the far-out music set. A night club still bears the name of Count Basie, but the Count doesn't play there anymore; like all the other great Negro musicians he has gone downtown to the expensive white night clubs. And in the increasingly open city of New York the Negro jazz aficionados can follow the cats; if they've got the price, a ringside table is available to colored people, too, at Birdland and the Blue Note and the Downbeat.

So there is no reason for the white man to go into Harlem any more, and he sees it only from the commuter's train window, and usually hears of it only in newspaper headlines that tell of crime and corruption, and in the sombre statistics composed by sociologists.

A passing glimpse from the elevated tracks of the New York Central does tell something of the story. There is misery and squalor behind the streaked tenement windows; swarms of yelling, pink-heeled children do run untended in the garbage-strewn streets; at night a dim streetlight does pick up the slumped form of a wino propped against the wall of a dingy neighborhood bar.

THE THREAD OF VIOLENCE

And it is true that the bright, red skein of violence runs through the varied fabric of community life in Harlem, and every other big city Negro ghetto.

Accurate figures on Negro crime are not easy to come by. In New York and other cities, in response to pressure from the NAACP and allied agencies, most public criminal records no longer carry a racial identification. Newspapers, responding to the same pressures, generally avoid the racial tag in their crime reports. The human objective is to avoid overemphasizing the incidence of Negro crime; after all, it is argued, Italians, Irish, Jews, Poles, and even WASPS (white, Anglo-Saxon Protestants), also commit crimes and are not identified by ethnic background. The result of the policy is often the reverse of the intent-to reinforce the exaggerated fears of those whites who assume that virtually all big city crime is committed by Negroes.

The last FBI report which attempted to summarize the matter showed that in 1,551 cities Negroes, who make up about 10 per cent of the total American population, accounted for about 30 per cent of all arrests, and 60 per cent of arrests for crimes involving violence or threats of bodily harm.

In 1958, Time magazine, revealing what it termed a "shocking pattern," offered this rundown based on the probing of its correspondents:

NEW YORK (14 per cent Negro). Of the prisoners confined in houses of detention last year to await court disposition of their cases, 44 per cent of the males and 65 per cent of the females were Negroes.

CHICAGO (15 per cent Negro). In 1956 twice as many Negroes as whites—1,366 to 679—were arrested on charges of murder, negligent manslaughter, rape, and robbery.

DETROIT (25 per cent Negro). Two out of three prisoners held in the Wayne County jail are Negroes . . . of last year's 25,216 arrests resulting in prosecution, excluding traffic cases, Negroes accounted for 12,919.

LOS ANGELES (13 per cent Negro). In 1956 Negroes accounted for 28 per cent of all arrests, and 48 per cent of the arrests for homicide, rape, aggravated assault, robbery, burglary, larceny, and auto theft.

SAN FRANCISCO (7 per cent Negro). The victims of 896 of last year's 1,564 recorded robbery cases reported that the assailants were Negroes.

In any event, the details are not really important. There is Negro crime, a great deal of it, and of all varieties from the relatively innocent peddling of numbers tickets to the brutal mugging of unwary after dark pedestrians in Central Park.

THE COP AND THE GHETTO

The existence of the Negro ghettos poses special problems for the big city police. There is, at one end, the protective sensitivity of the Negro people who tend to fear the law and to refuse to cooperate in routine enforcement. At the other end there is the ghetto's corrupting influence on the police themselves. Some succumb to the ready temptation to go on the take in return for ignoring petty gambling and vice; others give in to the human tendency to take out the frustrations of uniformed life on the poor, black devil who can't fight back—and thereby contribute some facts to the lurid tales of police brutality which are the Negro newspapers' stock in trade.

In New York Police Commissioner Stephen Kennedy has approached the problem in two ways. In the sensitive areas white and Negro policemen usually work in teams, and the commands are regularly shuffled in the effort to deliver the officers from temptation. On top of this there is a trouble-shooting force of "Commando Cops"—all six-footers with special judo training in handling mobs by hand, without recourse to the firearms which are always likely to ignite the fuse of a tense situation.

Even so, the Commissioner's troubles go on. In recent weeks scandal has rocked his department again, this time in terms of the disclosure that for a price it was possible to have the official records in the central identification bureau altered so that a ten-time loser among the numbers runners would appear before the judge as a first offender. A numbers runner, of course, is by definition a Negro, and so the fix begins in the colored neighborhoods—although it is a reasonable assumption that it was actually arranged and paid for by the white gangsters who run the lottery racket and take off most of the profits.

At the other end, even the Commando Cops have had their troubles in the rougher Negro neighborhoods. In the Bedford-Stuyvesant area of Brooklyn, probably the toughest spot in all New York, a hostile crowd of 500 poured into the streets after a stray bullet killed a delivery boy, and the police officials who handled the emergency situation reported that only the grace of God averted a riot. A few days later one of the Commandos was mobbed and mauled in the course of a routine arrest of a Negro on complaint of his wife.

At its most alarming, the crime pattern reflects the cutting edge of Negro bitterness against whites—a senseless, compulsive striking back against oppression, real and fancied, and against authority, which for the Negro equates with a white skin.

But seen in any perspective, it is clear that this is only a minor part of the problem, and not in fact a growing part. The sociologists can demonstrate from the record that crime is an inevitable product of the American ghetto, whatever the pigmentation of its residents. Wherever there is human misery, and little hope for a cure, there emerges a pattern of broken homes and untended children, and in the end a kind of sullen revolt not only against the law but against the conventions of society.

The Rev. Joseph P. Fitzpatrick, S.J., a Fordham sociologist, speaking in defense of the Puerto Ricans, who have reacted to the same slum conditions with a special Spanish fervor, quotes with pointed irony from the writings of John Pintard, a charitable New York reformer of the 1830s:

". . . the beastly vice of drunkenness among the lower laboring classes is growing to a frightful excess, owing to the cheapness of spirits and the multitudes of low, Irish Catholics who, restrained by poverty in their own country from free indulgence, run riot in this . . . As long as we are overwhelmed by Irish immigrants, so long will the evil abound . . . thefts, incendiaries, murders which prevail, all arise from this source."

But there is a great deal more to the Negro communities than the symptoms of violence which disturb the untutored white. There are, in Harlem, quiet streets where on a warm night you may come upon a pipe-smoking Negro in Bermuda shorts peacefully walking his dog.

Harlem in fact has most of the hallmarks of a small town. There are dark turnings into which a man wearing decent clothes and a little gone in liquor would proceed only at his peril — but if he were rolled an objective appraisal of the facts would probably reveal that it was done without particular malice, and without regard to race, creed, or color.

In the brightly lighted commercial areas, where the ordinary humdrum business of life goes on, a man with a white skin can make innocent passage. If he is looking for trouble he can probably find it, and wind up carved like a Christmas turkey. But if he minds his own business he will be treated with courtesy and respect—the special, almost painful politeness that any close-knit community reserves for the identifiable stranger in town.

THE DRIVE FOR OBLIVION

Even on a hot Saturday night, in the places a proper middle-class Harlemite would call "blood and guts joints" and assiduously avoid, a stray white man has no special feeling of tension. The impression is not one of unrepressed hilarity and unleashed inhibitions. Rather it is one of slow, wearing misery. The long line at the bar, knocking back the 30-cent "doubles," which in fact are thick-walled shot glasses containing a one-ounce dose of the cheapest blended whiskey, is made up of men and women who seem to be trying to get through the long night and reach oblivion.

There are still a few visible signs of the Old South, which spawned the grandfathers, some of the fathers, and the declining number of newcomers for whom these Negro ghettos are receiving depots. There are still restaurants bearing crudely hand-lettered

signs advertising "chitterlings with two vegetables, 90 cents," or "pogies and whiteys, 75 cents." The store-front preachers are still around, shouting salvation as they used to do in Montgomery, or Charleston, or Memphis. Even on 125th street, above the neon-lighted, plastic-fronted chain store fronts where the busy weekend shoppers pass in and out, second floor windows silhouette the writhing forms of young girls and old, lumpy women far gone in the religious ecstacies of a soul-saving conducted in the name of the late Daddy Grace.

You can find almost anything in Harlem, if you look: decent, sober people trying to make out against the odds and sometimes succeeding; innocents from the back country or the Caribbean islands who will never understand the meaning of the great city whose towers loom beyond the park; and those who, inherently crippled or maimed by circumstance, have slipped over the edge of the great social abyss of our time.

You can find in the ghettos almost anything but happiness. The bluebird nests somewhere else.

Negro Ghettos in the North

Fanatic Muslims Symbolize And Spur Negroes' Unrest

Third in a series.

Lenox avenue and 116th street was once the main corner of the Harlem that Carl Van Vechten, a popular novelist of the twenties, in that simpler time, without offense could identify as "Nigger Heaven." It isn't an important intersection any longer, but there still stands there a sagging office building bedecked by signs that are intended to signalize the American Negro's protest movement.

A white man entering the old building causes a mild flurry. An ancient custodian peers out of his cubbyhole with obvious surprise, and a numbers runner scuttles off down the street to spread the word of possible trouble.

The open-cage elevator ceased functioning in some forgotten epoch. Worn, dimly lighted steps take the visitor upward across the yawning distances between old-fashioned high ceilings, and past closed doors that recite their own pathetic litany.

The second floor is the headquarters of the Garvey Club, keeping alive the name of old Marcus, the first and probably the most spectacular of the Black Nationalists. On the third floor there is the Universal Nationalist Movement, a splinter of the larger United African Nationalists which is the private preserve of a smooth-talking public relations man named James R. Lawson. Down the hall a door bears the imprimatur of the Prophet Judah. The fourth floor is taken up with a sizeable meeting hall which is Temple No. 7 of Muhammad's Islam—the New York center of the so-called Black Muslim movement which now makes militant anti-white sounds in every major city of the country.

All these doors are firmly closed to the white visitor. So are the meetings of the Muslims, where even those with the black skins must submit to a search upon entry. There is the unmistakable aura here of the secret society—and one who has lived in the South thinks instantly of the ironic parallel with the Ku Klux Klan.

The Muslim movement began, so its reluctant historians say, about 20 years ago in Detroit. Temple Nunber One is now in Chicago, and this is the seat of the aging, bald man who came into the world as Elijah Poole and now calls himself Messenger Elijah Muhammad. The claims made on behalf of the Messenger in his own publication go like this:

"Messenger Elijah Muhammad, spiritual leader of America's Muslims, whose undisputed control of his fast-growing, well-disciplined, fearless young followers . . . and his growing influence throughout the African-Asian world, makes him one of the most loved and respected Black Men in America. He heads the best organized group of young Black people in the Western hemisphere, dedicated young people whose 'unto the death' obedience of his fearless and uncompromising leadership amazes and impresses his sharpest critics."

A CALL TO ARMS

There is the sound of bugles here, and of a call to arms, and it follows that the Messenger's sharpest critics include the police officials of a number of cities, who keep a wary eye on the movement. In Los Angeles, where the Muslim invasion is fairly recent, Chief Parker has asked in the public interest that the local newspapers not publicize it, and they have complied.

Muhammad does not see white newspapermen, but on occasion his number two man will. He is the prophet of the New York temple and the editor of the sporadic Muslim publications—a thin, intense man of medium color who was christened Malcolm Little, the son of a Baptist preacher, and who will say of his youth only that he "grew up all over." Today he calls himself Malcolm X, rejecting his pre-Muslim surname as the unworthy heritage of a white man who thrust it upon a slave forebear.

Malcolm insists that the Black Muslim movement is an authentic offshoot of Islam; the Messenger he says, has made the pilgrimage to the inner shrine at Mecca, and the only reason he hasn't gone himself is that he didn't want to get there ahead of his ecclesiastical superior. This claim is privately and somewhat indignantly denied by practicing Middle Eastern Moslems in this country, but there has been no official disclaimer because there seems to be no one to provide it in a religious movement which operates without a priesthood and relies largely upon the individual's inner call.

SONS OF THE CRESCENT

In any event the Black Muslims are unshakable in their assertion that theirs is, among other things, a religious movement. Those who join must sever their ties with other churches. They are enjoined to follow the Moslem dietary proscriptions against pork and alcohol—and for good measure the Messenger on his own motion has added tobacco to the list. Malcolm says the faithful eat only one meal a day, and face East to say their prayers. Cosmetics and fancy clothing are frowned upon; a hot bath every 24 hours is mandatory; and the male members normally shave their heads. Malcolm wears the somber black hat and suit, and the stiff white collar and black tie of the conventional Protestant minister.

Franklin Williams, former NAACP director on the West Coast and now assistant attorney general of California, has said of the movement: "It combines the emotional religious drive of Father Divine and Daddy Grace with the legal and political protest of the NAACP, and on top of that it offers the hope of a Black utopia on this earth. Above all, it gives the poor, ignorant, disturbed Negro a sense of identity—something the white world has always denied him. This is its appeal, and it is a powerful one."

The Muslims preach brotherhood, but it is restricted to the Blacks. (They reject the term Negro, and refuse to use it.) The white man is an enemy, or at best a neutral entity. Malcolm claims that he can produce 200 of the faithful on any street corner in Harlem within five minutes if there is a racial incident worthy of Muslim attention. What would they do? "Whatever is necessary," Malcolm says, "but peaceably, of course. We do not start trouble. But we do not turn the other cheek.

Most visible Muslim activity consists of picketing—to protest what the Muslims consider white discrimination, or to push the economic line that Negroes should spend their money only with Negroes. This is the pie in the sky, and its most tangible evidence can be seen in Chicago, where the Muslims operate their own school (for children mostly, but proudly called the University of Islam), grocery stores, restaurants, garment manufacturing plants, and a rudimentary department store. This, proclaims the Messenger, is the shape of the American Negro's future—a completely separate and self-sufficient Black community which will not have to depend upon the white man for capital, services, or employment.

THE DREAM OF AUTONOMY

Malcolm takes the dream to its ultimate absurdity.

"Marcus Garvey was right as far as he went," he says, "but he was wrong in telling Negroes they should go back to Africa to achieve their goal. We're going to build our own society here in the United States. We're going to have our own all-Black state."

Malcolm's vision is a complete entity, with its own government and, presumably, with an official connection or at least diplomatic relations with the United States. Where would he locate it? He was not specific, but he did summarily reject the suggestion of a Negro reporter that there were some people in the country who might be willing to give him one of the Southern states.

Malcolm shows no sign of being aware that what he and the Messenger are really preaching is the basic segregationist doctrine of the Southern White Citizens Council—and, to add the ultimate touch of irony, the separatist policy that in the Twenties and Thirties was part of the American Communist Party line. There is a strange, intense innocence in this man, who freely talks about his own conversion to the Muslim faith during the seven years he endured in a Massachusetts prison after being convicted of breaking and entering in the nighttime.

Malcolm himself still does a considerable amount of recruiting for the movement in the local jails.

PRISON AS A CONVERTER

"Prisons are all corrupt, you know," he says, out of the wisdom of experience. "If you've got the price you can get anything in jail—cigarettes, liquor, even dope. We think a man ought to be able to get the true religion in jail, too, and we try to provide it. Most of the prison officials won't recognize us as a religious group, and I have been denied visiting privileges in some places. But we've got converts in all the major prisons. And when those prisoners come out they'll be wonderful additions to our movement. Cowards don't go to jail, you know. We'll rehabilitate these men and women and they will march in the ranks."

There are, of course, no available membership figures on the Muslim movement. Even as does the Kleagle of the Klan, Malcolm only grins wisely and says, "We're big and we're growing."

Muslim literature lists the main centers as Chicago, Detroit, Boston, Pittsburgh, Newark, Los Angeles and New York, but there are small groups active now even in many of the Southern cities.

The symbolic use of X as a last name (the first John to join is John X, the second is John X2, etc.) serves as a public mark of identification, and can be used as an instrument of pressure. Thus when advertisements start appearing in Negro newspapers identifying the advertisers as John and Mary X, the publisher can assume that a Muslim leader will soon be around to discuss editorial policy. The Muslims have leaned hard on the Pittsburgh Courier, which circulates nationally, and on New York's Amsterdam News.

"It is interesting," says Malcolm, who also edits the sporadic Muslim rotogravure magazine, "that while the Courier carried a column by Mr. Muhammad, the circulation went up. When we discontinued the column the circulation went down."

Whatever the reason, the Negro press now generally treats the Muslim movement seriously, and in its usual sensational way probably gives it a certain added impetus.

Even so it is doubtful that any of the Temples, with the possible exception of Chicago's, could count an actual membership of more than a thousand. The Muslim rallies rarely attract an attendance in excess of that figure, and it must be assumed that the audiences are padded by curiosity seekers, colored newspaper reporters, and undercover agents of the police.

A FEW SEEM A CROWD

But even a few fanatics can make a fairly loud noise, and the Muslims have discovered another truth—that it is part of the white man's racial myopia that to him a couple of dozen colored men look like a crowd, and possibly even the beginning of a mob.

The Muslims, then, are rather pathetic symbols of Negro unrest. They are not themselves going anywhere. But as long as they are around and talking it is a reasonable assumption that the great mass of American Negro people are not going to be content to stand still.

Negro Ghettos in the North

Bad as It Is, They Have Left Harlem Hovel to Georgia

By HARRY S. ASHMORE

It is not an easy thing to be Robert William Daniels of 325 Lenox Ave., Harlem.

If you live at that address, it is a foregone conclusion that you inhabit a dark skin. Daniels's is medium brown, his wife's is even darker, and the shading runs off toward dusty blue-black among the 10 children and one grandchild who make up the Daniels family.

Fourth in a series.

This small horde lives in five tiny rooms, strung together shotgun style, on the third floor of a creaking building that surely is ticketed to go down one of these days before the bulldozers of slum clearance.

It is a place where the cockroaches run, and the rats; where the garbage moulders in halls pocked with old obscenities carved by forgotten residents, and where the shrill voices of angry tenants echo, unheeded, through the night.

It is not, by a long shot, the worst tenement in Harlem. But it will do as a symbol of the poverty that even in this abundant society still blights much of the area.

It is the only home Daniels and his growing family have known since the founders and the first-born came to New York from Macon, Ga., 15 years ago. Robert William was 24 then. His wife, by his estimate, was 15, but she insists primly that she was 16 when she sent back for her. Over the years, the mathematics of this union have doubtless confused the numerous social workers who have trudged up the steep and cluttered stairs—but the evidence of its success is unmistakably there in the persons of the remarkably healthy and composed children who play quietly in the cluttered rooms even while strangers are being entertained.

The Daniels receive guests, after supper at least, under something of a disadvantage. The two adults, when I called, were horizontal, propped up in bed before a television set which had attracted a predictable quota of the younger children. There was only space for two plastic-covered chairs between the double bed and the bleached oak bedroom furniture which lines the walls.

FILLED WITH BEDS

There was no need to explain this informal arrangement. Coming into the apartment from the rear, you pass the tiny kitchen with its utilitarian equipment. From there on, the rooms are understandably filled with beds:

"One of the things I hate about this place," Mrs. Daniels said, "is a man comes home from work and takes off his pants and there is no place to hang them. No closets, no place even to throw them down. All you can do, you just eat and go to bed, and maybe look at the television."

"It's bad," Robert William agreed, "but I reckon I don't mind it as much as Pat does. She stays cooped up here all day, and I get out and that makes it easier."

When he goes out, Robert William proceeds three blocks to the Harlem office building he tends as superintendent. Firing the furnace, cleaning the halls and hustling a few odd jobs for the colored tenants brings in an income that never exceeds $250 a month and often falls well below. In times past, the Daniels have been intermittently on the welfare rolls, but theirs is a borderline case. Besides, Mrs. Daniels doesn't like the social workers.

"They come in here and they want to know how we can afford the telephone, and who paid for the good bedroom furniture, and I tell them my sister-in-law is keeping up the payments and they don't believe me," she says with a snort of disgust. "If we can make do without the welfare we do."

FED AND DRESSED

"I manage to keep them fed and dressed decent and in school," Robert William says with a wave at the circle of dark young faces looking solemnly in from the next bedroom, which is without a shielding door. "It's the housing that's so bad, having to live all huddled up like this. I'm still trying but I haven't licked that."

The big problem is the very size of his family. It has practically barred him from low-rent public housing, which rigidly limits per room occupancy and rarely provides apartments big enough to accommodate a family of 13, with more doubtless to come.

"I have walked my feet off going to the projects," Mrs. Williams says. "I just get a lot of talk, and then I have to come back and live like this. I declare if it keeps up I'm going to have a nervous breakdown."

"She won't, though," Robert Williams says fondly. "She talk like that, but she strong. Somehow we going to make it. I got a feeling the break is coming."

INCOME LIMITED

It is difficult to see where it is coming from. Robert William obviously can't afford more than the $35 he now pays in monthly rental—and he has all the private housing that sum will buy in Harlem. At 39, his income would seem to be limited permanently by his lack of any real skill.

He's a big man, and a husky one, and those who know him say he works hard. But schooling ended for him in Macon at the sixth grade, and he learned nothing more than use of his muscles when he worked as a helper in the yards of the Central of Georgia railroad.

"I wasn't getting anywhere, just leveling the coal on the tenders and things like that, and so when my father-in-law came back from New York and said he could get me a job up here I decided to come," he says. That job was as superintendent of the building in which he still lives. It became the only trade he has followed since he grew to be a man.

The move from Macon, then, hasn't improved the physical environment of the Daniels. Their tenement is one of those once described by Thomas Sancton as "a hundred Delta cabins plus tuberculosis." And plus the incessant noise, crowding, confusion and hazard of big city streets.

Why did they come?

Robert William is not an articulate man, and he finds it hard to explain.

BETTER JOB

"Well the chance of a better job, of improving myself," he says. "It's not much better, but the chance is here. And freedom, I guess—knowing if I got in trouble the law wouldn't always be against me. And feeling like a man. You can't do that in the South, they just won't let you."

"Lord, yes," Mrs. Daniels chimes in. "I went back to Macon last year to bury my mother, and they are all walking around crying the blues. We wouldn't go back to stay, not ever."

"But mostly for the children," Robert William says, gazing upon his brood with gentle eyes. "It's hard for them to grow up here, but if you look after them and treat them strict they can make it. All mine have stayed out of bad trouble.

"Hard as it was, I never would let Pat take a job when they were real little. After the biggest girl got old enough to stay home and look after the others, Pat would go out and take domestic work sometimes. That's when we got the phone—so if anything happened somebody could call her or me."

GETTING BETTER

The things that can happen to a Harlem slum child are, of course, legion. But Robert William thinks things are getting better.

"I've lived right here for 15 years, and I've seen the changes. There are more parks, and playgrounds in the housing projects and more space around the schools. And when they tear down some of these old buildings and thin the people out it helps. Used to be there was fighting all the time in the streets. I've seen men dead on the sidewalk right under these windows. You don't see much of that any more, you don't hear the loud cussing, and the prostitutes don't strut around like they used to."

"There's still the wineheads and the junkies. Seems like as many get hooked as ever did, and they just walk around dying with it and they can't quit. I see a lot of the young men go that way, and it's just like they are trying to kill themselves. But you know, it's a funny thing, they are usually kind to children, and they come and tell me or Pat when they see one of our young ones going somewhere he shouldn't. That's when I crack down.

"I remember when the big boy tried to start smoking. That was when he was 13 or like that, and I grabbed him and said don't you forget I'm your daddy and you may have had more schooling than I did but I've lived longer and I'm bigger than you are and if I catch you with a cigarette I'll knock it down your throat."

FAMILY DREAM

He's not bigger any more. At 19, Robert William Jr. has shot up to six feet two, and one of the family dreams is that the basketball prowess he displayed at Commerce High will yet bring him a college scholarship. His picture, in his graduation cap and gown, stands on the oak dresser as something of a shrine. He, clearly, is the hope of the future.

The boy is working now as a messenger in a wholesale liquor firm, saving his money, and going to night school to make up the credit he will need for college. In September the Daniels hope to be seeing him off to Howard University, the old Negro institution in Washington. If he makes it, he wants to study pharmacy.

The oldest girl, the deserted mother of the grandchild, is taking a secretarial course. The other children stair - step down through the grades of public school.

If these plans succeed, the children will move out of the closed Negro world in which their parents live and will likely die. The orbit of the elders is wholly within the ghetto; the crowded tenement, the office building where Robert William works, the Baptist church where they worship, the neighborhood bars in which he buys an occasional shot of cheap whiskey. The rare family excursion is to Paterson, N.J., to visit cousins who also made the pilgrimage from Macon.

In the course of his days, Robert William has few contacts with whites and displays little personal animosity toward them. They run the world that presents his immediate, endless, and consuming problem of food and clothing and shelter, but they are abstractions beyond his ken.

"I listen to the politicians talk, and I try to read up on things, but none of it seems to change much. I've been to see the district leader about getting in the housing projects, but it's just like going to the Urban League or the NAACP — just more talk. I vote all right, sometimes Democrat

and sometimes Republican, and sometimes the split ticket. Pat here, she don't even bother, hasn't voted but once since we left Georgia," he says.

For the chiidren it will be different. With their father's blessing they will be heading downtown, into the white world which long ago closed out Robert William and his kind.

And one thing is certain. None of the Daniels, old or young, is heading back to Georgia.

The Negro in the North—

N. Y. suburb losing leaders by migration

BY HARRY L. ASHMORE

Cross the line from the Bronx and your first stop is Mount Vernon in Westchester, which thinks of itself as the wealthiest county in the world, and may be.

Mount Vernon's 70,000 souls now fill its four square miles of territory, and are heir to all the problems known to a suburban satellite clinging to the edge of a great city.

One of these is race. The best guess is that the Negro population is now running around 17 per cent, and the new census figures may well raise that figure.

Many of these Negroes have been there 20 years and more. Some of the first came as domestic servants for the local bedroom community of middle-class New York commuters, and for the estates of the big rich farther up the Hudson. Others were attracted by jobs in Mount Vernon's fringe of garment factories and light industries. A substantial number commute across the river to industrial jobs on the Jersey side.



ASHMORE

In the nature of the Negro migration, these working-class families long since were consigned to their own local ghetto, and have filled it with a solid black front. They occupy the oldest, least desirable housing, and have been able to expand their neighborhood at the edges without particular strain as white families have moved away under the natural process of improving fortunes. There is even a district of Negro cafes, bars, barber shops and small stores on the edge of the main business section.

No sense of strain

THE GHETTO, OF COURSE, has posed some problems for Mount Vernon, but they seem to have been handled reasonably well by the conservative, Republican burghers who maintain firm control of local affairs. There is no particular sense of racial strain in Mount Vernon, not at least in the sections down along the railroad tracks.

In recent years, however, Mount Vernon has been subjected to a new Negro invasion—small in numbers but high in potential social significance. These are people of substantial income and above educational attainment who themselves are fleeing the blight of the big city colored neighborhoods. They seek to climb the hills beyond the railroad tracks and find a place for themselves along the tree-shaded streets where a generation and more of white families —Jewish, Italian, Irish, and assorted Protestants—have found a quiet back-water away from the clamorous metropolis.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

(Sixth of a series)

Officially, Mount Vernon has welcomed these professional and business-class Negroes and there has been no overt act of discrimination.

Unofficially, things have not been so rosy. There are large, modern garden apartment developments in Mount Vernon where ways are found to circumvent New York's anti-discrimination statutes and in which no Negro can rent a unit. There are neighborhood property owners' associations that seek to prevent or rigidly limit Negro encroachment. And there are real estate promoters, some of them Negro, who have attempted to use the old block-busting technique —that is, to panic white property owners into taking flight and selling at a loss so that they in turn can sell the property at a high mark-up to Negroes, and in the process create another all-colored neighborhood.

And there are, of course, the subtle personal discriminations—the small affronts, the chilly attitude, the physical turning away of a next-door neighbor.

Still, most of these middle-class Negro migrants have found Mount Vernon tolerable.

Takes obvious pride in home

DUNBAR S. McLAURIN, Ph.D., University of Illinois, practicing attorney, economic consultant and real estate speculator, takes obvious pride and pleasure in his spacious $50,000-plus home on one of Mount Vernon's finest streets. He is even philosophical about the fact that he probably was charged 10 per cent extra because he is a Negro.

Like any newcomer to suburbia, he likes to show off the spacious lawn, talk about the plans for the garden, and display the report card that shows how well his little girl has adjusted to her new school where she is one of only four non-whites. ("Well-mannered and cooperative," the teacher had written, "a little lady and a fine addition to our group.")

"A couple of years ago Liz and I decided we had to get out of Harlem," McLaurin explains. "We were tired of living in an apartment, and the public schools were so bad we had to put the kid in a private school. Liz figured we could afford to go, and you know how that is—I figured we had to afford to go.

"We looked at some of those places on up the river around New Rochelle, those big old estates with elevators and wine cellars and nine bathrooms and all that. You can get a real bargain up there in a way, and all that grandeur is especially tempting to a Negro. But Liz is a practical woman. She said, 'If the rich white people who owned these places can't keep them up, how can we? We don't have to take a white elephant just because we're Negro.' "

The house the McLaurins finally found in Mount Vernon is of the 1920 vintage, solidly built and luxuriously finished with bookcases, fireplaces, built-in cabinets, and the spacious halls and rooms of the period. Elizabeth McLaurin, who grew up in Birmingham and has the soft accent of Alabama, has been busy decorating it with restrained taste.

Close your eyes and listen to the bright social conversation of the McLaurins and the white and colored neighbors who have dropped by for an evening and you can believe you are listening to any group of young-married and early-middle-aged couples anywhere: Children and schools, community agencies and the new traffic regulations on the superhighway, taxes and local politics, flowers and the new Spring hats.

Problem is one of status

STILL THE PROBLEM COMES in—muted, not active and festering as in the ghettos, but nevertheless real, and with some strange twists. It takes on the shape of status here, rather than simply race.

Jewell Cobb, doctor of biology, a cancer researcher at Bellevue Medical Center, and beginning next Fall a teacher at Sarah Lawrence College, relates a remarkable tale.

"We moved out about three years ago into a neighborhood not far from here. There were a few Negro families, but not too many, and all our relations were good. We had an interracial neighborhood association and we really worked on our local problems together. Why—" and here she flashes a smile of conscious irony—"some of my best friends are whites."

"But the neighborhood has continued to become more and more Negro. We never had any formal quota arrangements in our old association, but informally we could have arranged to hold down the percentage of Negroes and discourage the undesirables. I'm sure some of the block-busting real estate promoters got into the act, and then some of the whites just kept drifting away for other reasons—wanting to get further out and get new houses .

"So now we have a new neighborhood association—and this one is all Negro. They're people who have just come out from the city and when my husband came back from their meeting I asked him what he thought. 'They're bitter and agressive,' he said, 'and that's all the program they've got. They don't say so but they want to run out the rest of the whites.' "

This is obviously distressing to Dr. Cobb. She and her husband, the first Negro hired as a junior executive by Mutual of New York, found in Mount Vernon that their race problems had been reduced to such relatively minor irritations as the inability of their children to join their white friends for a swim at a private beach club. Now the newcomers are about to rebuild the ghetto around them.

This, of course, is conservative talk, befitting any spacious living room in a Westchester suburb.

It applies even to Dunbar McLaurin, who bears one of the proud names of the Negro protest movement. His father was the schoolteacher who brought the famous McLaurin test case which opened the University of Oklahoma to Negroes.

"Liz and I just don't have time to practice sociology," he says. "We like it out here, we're being treated all right, and the neighbors are either friendly or let us alone."

White couple is liberal

THE ONLY REALLY LIBERAL talk comes from a white couple, Mr. and Mrs. Fred Williams. He is a prosperous New York accountant, and she has studied sociology and still practices it. She is convinced that there are no real racial tensions in Mount Vernon, that the interracial patterns in the neighborhoods will endure, and that things will continue to get better and better in every way.

Riding in the traditional Volkswagen down to the traditional, night-time desertion of the commuter's station, something is heard that could be the voice of the future. It belongs in this instance to Harold Wood, practicing attorney of Mount Vernon, Republican, and the first Negro in history to sit on the Westchester County Board of Supervisors.

"I worry about the failure of these professional Negroes to become more active in community affairs. They tend to stay sort of wthdrawn after they get out here. I'm not talking about politics or special Negro problems. We haven't really got many

of those anyway. The local NAACP is pretty much a paper organization; I found that out when I served as president.

"But the way I see it, the white people who are being displaced were the ones who really worked for the community. They put the Community Chest over the top, and they went out and rang the doorbells for the Cancer Fund, and kept the PTAs going. If we are going to replace them we've got to fill that gap."

Woods tilts back his narrow-brimmed hat, plunges his hands into the pockets of his white Ivy League raincoat, gazes fondly around the deserted square, and speaks the eternal words of the booster:

"By golly, this has always been a good town, and we've got to get together and keep it that way."

The Negro in the North—

Negro ghetto: Social problem still unsolved

BY HARRY S. ASHMORE

In their more than 400 years of residence on this continent, from the slave quarters of the Old South to the ghettos of today's great industrial cities, Negroes for the most part have lived apart from whites.

In the South they were walled off by the legal barriers now being systematically struck down by the United States Supreme Court. Elsewhere their comparatively recent arrival in force has produced extra-legal devices for residential segregation which, although often contrary to declared public policy, have effectively reproduced the Southern pattrn they sought to leave behind.

The shoulders of whites and Negroes rub increasingly in the work place, in public institutions, in the marketplace, and in areas of public accommodation.



ASHMORE

But when the whistle blows, or the wall clock marks the end of the work day, the paths of homing whites and Negroes sharply diverge.

In the rush hour a northbound New York subway starts out with a richly mixed human cargo. On the journey uptown the whites steadily thin out until, as the train pounds across the shifting boundary of Harlem, only Negroes and Puerto Ricans are left.

For some, and perhaps for most Negroes, a segregated neighborhood provides a welcome retreat from a white world that can be hostile when it is not indifferent. Dirty, crowded, generally depressed the home territory may be, but it still represents a haven where a black man can relax with his own kind, immune to indignities and small affronts.

For others—and their number increases with the rapid growth of the new Negro middle class—the rigid, invisible walls are a source of mounting frustration.

Housing is Number 1 problem

FOR THE COMMUNITY at large the Negro ghetto stands as a great unresolved social problem, a focus of poverty, vice, crime, and human misery that can spread their infections through the whole of the body politic.

For reasonably well-to-do Negroes as well as the very poor, housing ranks as the number one problem—the greatest single source of privation and of grievance. In employment, education, politics, and free access to public institutions and services, an optimistic colored man can now see daylight. Despite a great deal of talk, and some action, the slum in which he lives remains uncleared; nowhere has progress kept pace with the spread of urban blight.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

The 1950 census provided these measurements:

More than 60 per cent of all urban Negro families lived in substandard dwellings—units either dilapidated or lacking minimum sanitary facilities. The percentage of whites in such dwellings was less than 20 per cent.

More than a third of urban dwellings occupied by Negroes were classified as crowded by a rather primitive standard, that is containing more persons than rooms. Only one white family in eight lived under similar conditions.

There is no reason to believe that the data currently being collected by the census-takers will substantially altar this dismal picture.

These are only rough internal dimensions of the Negro housing problem. The dwellings available to colored tenants or purchasers are usually in jam-packed areas deficient in parks, playgrounds, and public services, and served by the oldest and most decrepit of public schools. In many cases the neighborhoods are threaded among industrial and commercial districts. The Negro often finds himself lodged uncertainly in housing that is slated to make way for non-residential structures, and therefore is subject to no more maintenance and upkeep than casually enforced laws may require of his landlord.

(Ninth in a series)

Sporadic assaults on urban slums

WITH ALL OF THIS, square foot for square foot, and in terms of services rendered, the Negro usually pays more for housing than any other class of our citizens. Great profits in slum property are still possible for a callous investor; that such are still around is indicated by the tales of calculated exploitation that fill the docket of New York City's special housing court.

There has been, of course, a sporadic public assault on the urban slums over more than two decades, and tangible results can be seen in every city. Harlem provides a notable example, with great areas of mouldering tenements sawed away to make room for low-rent public housing and so-called Title One medium-income private housing. The process is so well-advanced that the district, river-bound in its upper reaches, may actually show a decline in population as a result of the resulting wholesale reductions in population density.

The trouble is that the tide of Negro and Puerto Rican newcomers runs ahead of the bulldozers of slum clearance. The patchwork program, running in fits and starts in response to recurring economy waves in Washington and onslaughts from private real estate lobbyists, cleans up a corner of one slum but may send a surplus of displaced residents out to found another depressed neighborhood somewhere else.

Some huddle together by choice

EVEN SO, THE RESULTS produced by low-rent public housing in the lower reaches of the Negro housing problem are impressive. Negro families enabled by public subsidy to move into these projects make an astronomical improvement in their physical environment, and the process is producing measurable results in the rising generation. It seems reasonable to assume that public housing as a basic tool of urban renewal is now firmly built into federal policy, and that the coming change in the political climate in Washington will bring a new priority and vigor to the program no matter which party carries off first prize in November.

Although all public, housing is now theoretically unsegregated, and a considerable amount in fringe neighborhoods is so in fact, it still follows that the program will tend to perpetuate segregated neighborhoods. Even when cleared slum land is put to non-residential use and the former residents of the area are physically relocated some distance away the separate pattern is likely to reemerge. Indeed, the evidence is quite clear that Negroes of the lower income and attainment level will huddle together by choice even without the strictures of prejudice.

Lester Granger of the Urban League conceded this when he said: "So long as we have this continuing flood of migrants in New York, we would need Harlem and other substantially segregated neighborhoods as receiving depots if no other reason. People want to, and probably need to, stay among their own kind when they are strangers trying to make a new life in unfamiliar surroundings."

Others have encountered barriers

THE GREAT, UNRESOLVED problem is to make provision for the increasing number of Negro families who have climbed the ladder to the middle class. Like their white counterparts, who emerged from the same ghettos a generation or more before them, they want to remove themselves and their children from the slums, and they have income sufficient to pay their own way. Except for a hardy few in the higher income brackets, however, they are simply denied the right to move as they see fit.

Other ethnic and religious minorities have encountered the same barriers in the past—and for some, notably Jews, some restrictions still exist. But no other American suffers restraints on his mobility comparable to those reserved for non-whites. The attorney general of Michigan not long ago publicized an elaborate scale employed by real estate operators and property owners in the select suburbs of Grosse Point to determine acceptability of prospective home purchasers.

The computations were based on such matters as accent, swarthiness, dress, manner educational attainment, and the like, and the minimum passing grade was 50 out of a possible 100 points. There was no provision for Negroes at all.

There are, of course, reasons other than racial why barriers go up against a Negro who wants to buy a house or rent an apartment in an area occupied by whites. There is a widespread fear among property-owners and real estate men that the advent of a single Negro family brings on an inundation—and with it a collapse of property values.

This fear is not a logical one in upper-income areas, where the scarcity of upper-income Negro families is a guarantee against any sharply rising black tide. And the Commission on Race and Housing has found in extensive nationwide surveys that this does not necessarily follow even in moderate-income communities.

Fear collapse of social standards

WHERE IT HAS HAPPENED, it has usually resulted from the panic of white home-owners—sometimes induced by unscrupulous real estate promoters—who sold out at a loss and fled, leaving a vacuum into which Negroes poured. Where whites have accepted a few Negro families as part of the normal turn-over they have found no substantial change in the character of the neighborhood, or in property values, and they have often found the Negro newcomers as anxious as they to keep the area from going all-black and declining into a slum.

A Negro doctor who was one of the first arrivals in a white neighborhood in Baltimore went from house to house urging his neighbors not to take flight, and wryly warning them of the result. "I'm moving out here because I don't want to raise my children in a Negro slum. If you move away and this becomes a Negro slum, don't think you can get away from me—because I'll be moving right behind you."

Back of these practical considerations, and the rationaliza-

tions which they often politely cloak, there is the unreasoning but very real fear of many whites—Northerners no less than Southerners—that any but the most formal contact with Negroes will somehow lead to the collapse of all social standards and ultimately to wholesale miscegenation. It is on this rock that the effort to build a strictly controlled private inter-racial housing development at Deerfield near Chicago has come near to foundering in perhaps the most spectacular current example of non-Southern white prejudice.

Despite court, barriers exist

ONCE THE FLOODGATES of emotion are open perspective tends to disappear, and even the normally perceptive lose sight of the fact that in contemporary suburbia they already live among families with which they have no more social contact than they choose.

In any event the barriers still stand, despite Federal court rulings and a variety of state and local laws aimed against them. So long as they do, there can be only one answer to the pertinent question directed to the American conscience by Earl B. Schwulst, president and chairman of the board of New York's Bowery Savings Bank, and chairman of the Commission on Race and Housing:

"Can a man be said to be truly free when, because of his color, he cannot buy or rent a home in the neighborhood of his choice?"

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The Negro In The North

They Led Own Court Battle For Rights

The Courier-Journal
Louisville Times
5-19-60

By HARRY S. ASHMORE

For more than two decades the great national battleground for Negro rights has been in the courts.

The victories have been famous, culminating in the final reversal of the old Plessy separate-but-equal doctrine and the establishment of a precedent by the United States Supreme Court that effectively bans any form of official discrimination against Negroes.

The grand strategy was designed by the National Association for The Advancement of Colored People, and N.A.A.C.P. lawyers led by Thurgood Marshall carried the battle to the judges. This in itself was a matter of considerable significance; in the crusade to remove the legal buttresses of second-class citizenship, Negroes for the first time assumed personal leadership, and the white liberals who supported their cause faded into the rear ranks.

The actual orders issued in the historic series of court cases were directed at the Southern states, which had translated the custom of racial segregation into law. But the impact was felt by colored people everywhere, from Harlem to Bandung.

Tenth in a series of 12 articles.

'59 Decision 'Turning Point'

The Negro psychologist, Kenneth Clark of the College of The City of New York, believes the climactic Brown decision of 1954, which outlawed segregation in the public schools, marked an emotional turning point for American Negroes as significant as that occasioned by the Emancipation Proclamation. Clark said:

"Consciously or unconsciously, and no matter how much we might rebel against it, we all had accepted the fact of second-class status. The Jim Crow cases that came before, important as they were, didn't directly approach the basic point. The Brown decision did—and for the first time every Negro everywhere felt that he was a man in his own right, that his government would help him prove it."

This, in Clark's view, in the end will prove far more important than the slow and painful process of school desegregation that has been initiated in the South. In his own case it was in part at least the psychological impact of the Brown case that prompted him to assume a key role in the extra-legal battle to minimize the de facto segregation that still exists in New York's public schools.

Clark Called The Shots

Although spokesmen from the New York Urban League and other organizations originally pleaded before the New York City Board of Education for what its numerous critics have called forced integration of the city's schools, it was Clark who called the shots. He accepted as a premise the fact that the segregated neighborhoods which produced segregated schools in New York could not be abolished overnight. But the segregation which produced inferior schools and subjected the children who attended them to special handicaps, he insisted, could be ended by direct action.

He proposed, in essence, that children be shuffled about in the schools without regard to residence or attendance area so that genuine integration would be universal.

Residential segregation still produces school segregation in New York, as it does in every major American city, but Clark contends that the two-year campaign has produced significant results.

Most lawyers, and very probably most members of the United States Supreme Court, feel that precedent-making by interpretation of the Constitution—or, as in the Brown case, reinterpretation — has gone about as far as it can go. The public policy is now sharply and unmistakably defined: There can be no discrimination on the basis of race in any public activity; that is, any activity conducted under public authority or supported by public funds. The rulings in the area of private activity are more shadowy.

Laws of this character, while they vary widely in intent, effectiveness, and in the stringency of their enforcement, are on the books of most non-Southern states. They are aimed, for the most part, at the bread-and-butter level of daily living. In their application they reduce to irrelevancy the Congressional civil-rights measures which regularly produce Southern filibusters, deadlock Congress, and sunder the Democratic Party.

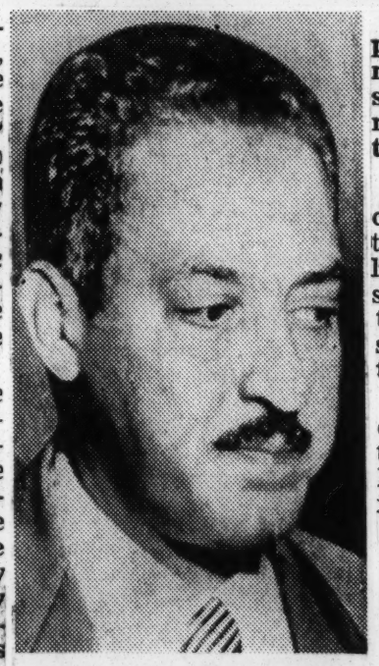
New York, where antidiscrimination laws go back to 1881, has long been the leader in the field. Its Fair Employment Act, passed in 1945, was the first in the nation. In 1952 the law was amended to cover discrimination in places of public accommodation, and in 1955-56 was extended to publicly assisted housing.

In an official pamphlet published in 1959, Governor Nelson Rockefeller proudly proclaimed:

"The State's laws on discrimination are unsurpassed in the United States.

Claim May Be Disputable

Whether the claim still stands up may now be open to question. In the closing days of the recent Assembly session in Albany, a bill to outlaw discrimination in private housing was choked to death in a legislative bottleneck, and the Democrats laid the blame on the Governor's doorstep. In this regard, New York now lags behind Massachusetts, Connecticut, Washington, Colorado, and Oregon—although New York City is enforcing a City ordinance carrying similar provisions.



THURGOOD MARSHALL
Leader in rights strategy

A legal declaration against discrimination, and an end to it in practice, are of course two very different things.

In New York the enormous task of implementing the statutes is charged to the State Commission Against Discrimination. In its 14 years of operation, S.C.A.D. has pioneered many of the techniques now employed by similar agencies in other states.

S.C.A.D.'s chairman and chief executive officer is Elmer Carter, a massive, very dark man who came to the agency at its inception from a background of social work with the Urban League.

Most Complaints On Hiring

The case load was slightly off, but 1959 was a typical year for S.C.A.D. Of the 794 complaints, 84.5 per cent pertained to employment, 10.1 per cent to places of public accommodation, and 5.4 per cent to public housing. Color was the alleged basis of discrimination in 67.5 per cent of these cases; creed (primarily Jewish), place of origin (primarily Puerto Rican), and age accounted for the rest.

It is human nature to fancy personal grievances where none exist—or at least are not subject to verification. S.C.A.D. rejects a surprisingly high total of the complaints received.

In 1959 a total of 1,187, including some carried over from the year before, were officially closed; probable cause to sustain charges of discrimination was found in only 199. Consultation and conciliation settled all but 10.

Carter insists that the very existence of the laws, and of the agency to enforce them, has produced marked changes in New York.

Laws Helped Employers, Too

"Particularly in the beginning" he said, "there were many cases in which employers were personally willing to hire Negroes, but were afraid to because they thought their other employees or their customers would object. Once the law was on the books they could go ahead, and if anybody protested they could point to the statute and say they didn't have any choice."

On his gloomier days, Carter cheers himself up by gazing down on the streets of the financial district which spread away from S.C.A.D.'s headquarters in a tall building on Lower Broadway. He remarked:

"When we first set up shop 14 years ago, you could look down there at the lunch hour and you wouldn't see a single colored girl unless she happened to be a charwoman. Now, when they come pouring out of the offices, Negroes are dotted among the secretaries and clerical workers. I remember how the first few used to carry themselves — rigid and uncertain, as though they were walking on eggs. Now they swing along just like the rest, and you can see their confidence."

'NEGRO GHETTOS OF THE DEEP NORTH'

The Courier-Journal
Louisville, Ky.
M-S-6-60
Page 1

Race Problem Outside South Topic Of Series Starting Monday

What of the Negro who lives in Northern cities? This question will be answered in a series of articles starting Monday in The Courier-Journal.

The contributor of this new and penetrating study of the race problem outside the South is Harry S. Ashmore, who won a 1958 Pulitzer journalism prize for his editorials on the school-integration crisis in Little Rock. He was executive editor of The Arkansas Gazette at that time.

Entitled "Negro Ghettos of 'The Deep North'," the Ashmore series embraces 12 articles that puts the record in balance.

It embraces not only New York's Harlem but all the Harlems of the North—Detroit, Chicago, the Bay area of San Francisco, Washington, Philadelphia—wherever a sizable Negro community exists outside the South.

Uses Blunt Language

With the world spotlight on Africa and the American South, Ashmore's study will fill out a vital portion of the picture, never before properly exposed. Under the title of "The Other Side of The Jordan," Ashmore's work will be published in book form in the Fall by W. W. Norton Company.

In the series, Ashmore builds a brief for neither extreme. He speaks out in blunt language—regardless of who might be hurt or pleased—in the only way the crowded picture can be presented objectively.

Ashmore was born in Greenville, S. C. Both his grandfathers served in the Confederate Army, and he, himself, was steeped in the traditions of the South, first, as a graduate of Clemson College, and later as a reporter on the Greenville, S. C., Piedmont. He also subsequently worked for The Greenville News. Even at the early age of 21, while a reporter for the Piedmont, Ashmore exposed the "Tobacco Roads" of "The Deep North."

He has written two books, "The Negro and The Schools" (1954), based on a Ford Foundation study, and "An Epitaph for Dixie" (1958), having to do with the economic and social transition in the South. The latter was acclaimed as "probably the best book written about the South by a Southerner in recent years."



HARRY S. ASHMORE
Pulitzer Prize winner

Coming in The Birmingham News Monday—

The Birmingham News
Birmingham, Ala.
Sun. S-8-60

Harry Ashmore's report on Negroes in the North



ASHMORE

The New York Herald-Tribune commissioned Harry S. Ashmore, much discussed former editor of a Little Rock, Ark., newspaper, to investigate and write what it calls "a candid report on the American Negro . . . his problems in living, housing, employment, politics, business."

Ashmore's report, in 12 articles, is a most interesting document. The editors of The Birmingham News believe the people of Alabama are entitled to know what Ashmore reported to The New York Herald-Tribune.

So that Alabamians will be fully informed we urge you to read

The Ashmore Report
In Monday's Birmingham News

The Negro in the North—
The Birmingham News
NAACP won '54 decision
Birmingham, Ala.
Thurs. 5-14-60

BY HARRY S. ASHMORE

For more than two decades the great national racial battleground has been in the courts. P. 1,

The decisions have been famous, culminating in the final reversal of the old Plessy separate-but-equal doctrine and the establishment of a precedent by the United States Supreme Court that effectively bans any form of official discrimination against Negroes.

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Tenth in a series

the NAACP lawyers led by Thurgood Marshall carried the battle to the judges.

This in itself was a matter of considerable significance; in the crusade to remove the legal barriers Negroes for the first time assumed personal leadership, and the white liberals who supported their cause faded into the rear ranks.

The actual orders issued in the historic series of court cases were directed at the Southern states, which had translated the custom of racial segregation into law. But the impact was felt by colored people everywhere, from Harlem to Bandung.

The Negro psychologist, Kenneth Clark of the College of the City of New York, believes the climactic Brown decision of 1954, which outlawed segregation in the public schools, marked an emotional turning point for American Negroes as significant as that occasioned by the Emancipation Proclamation.



ASHMORE

Turning point

"Consciously or unconsciously, and no matter how much we might rebel against it, we all had accepted the fact of second-class status," he says. "The Jim Crow cases that came before, important as they were, didn't directly approach the basic point. The Brown decision did—and for the first time every Negro everywhere felt that he was a man in his own right that his government would help him prove it."

This, in Clark's view, in the end will prove far more important than the slow and painful process of school desegregation that has been initiated in the South.

In his own case, it was in part at least the psychological impact of the Brown case that prompted him to assume a key role in the extra-legal battle to minimize the de facto segregation that still exists in New York's public schools.

ALTHOUGH SPOKESMEN from the New York Urban League and other organizations originally pleaded before the New York City Board of Education for what its numerous critics have called forced integration of the city's schools, it was Clark who called the shots.

He accepted as a promise the fact that the segregated neighborhoods which produced segregated schools in New York could not be abolished overnight. But the segregation which produced inferior schools and subjected the children who attended them to special handicaps, he insisted, could be ended by direct action. He proposed, in essence, that children be shuffled about in the schools without regard to residence or attendance area so that genuine integration would be universal.

Editor's note

This is one of 12 articles on The Negro in the North prepared for and being published in The New York Herald-Tribune. The Birmingham News believes the people of Alabama should have access to this series as an example of what one of New York's best newspapers is publishing about problems in the nation's largest city.

The Northern way

Residential segregation still produces school segregation in New York, as it does in every major American city, but Clark contends that the two-year campaign has produced significant results. There have been changes in administrative personnel, and in policy, which are at least based on the principle he espoused and he believes that important precedents have been set.

The Negro struggle for integrated education has been the focus of national attention in recent years, and was, of course, the initial cause of the Southern resistance that has made headlines around the world. But outside the South Negroes have been pressing on many other fronts, with notable legal and practical results.

Most lawyers, and very probably most members of the United States Supreme Court, feel that precedent-making by interpretation of the Constitution—or, as in the Brown case, re-interpretation—has gone about as far as it can go.

The public policy is now sharply defined: There can be no discrimination on the basis of race in any public activity; that is, any activity conducted under public authority or supported by public funds.

THE RULINGS IN THE AREA OF PRIVATE activity are more shadowy, but even here an impressive number of state and local statutes have been enacted and so far have withstood the test of litigation.
The Birmingham News

Laws of this character, while they vary widely in intent, effectiveness and in the stringency of their enforcement, are now on the books of most non-Southern states. They are aimed, for the most part, at the bread-and-butter level of daily living. In their application they reduce to irrelevancy the Congressional civil rights measures which regularly produce Southern filibusters, deadlock Congress, and sunder the Democratic Party.

New York, where anti-discrimination laws go back to 1881, has long been the leader in the field. Its Fair Employment Act, passed in 1945, was the first in the nation. In 1952 the law was amended to cover discrimination in places of public accommodation, and in 1955-56 was extended to publicly-assisted housing.

Rockefeller's claim

In an official pamphlet published in 1959 Governor Nelson Rockefeller proudly proclaimed: "The state's laws on discrimination are unsurpassed in the United States." Whether the claim still stands up may now be open to question. In the closing days of the recent Assembly session in Albany a bill, to outlaw discrimination in private housing was choked to death in a legislative bottleneck, and the Democrats laid the blame on the governor's doorstep.

In this regard New York now lags behind Massachusetts, Connecticut, Washington, Colorado, and Oregon—although New York City is enforcing a city ordinance carrying similar provisions.

A legal declaration against discrimination, and an end to it in practice, are of course two very different things. In New York the enormous task of implementing the statutes is charged to the State Commission Against Discrimination. In its 14 years of operation, SCAD has pioneered many of the techniques now employed by similar agencies in other states.

SCAD's chairman and chief executive officer is Elmer Carter, a massive, very dark man who came to the agency at its inception from a background of social work with the Urban League.

"THE PRIMARY REQUIREMENTS FOR THIS KIND of work are patience and common sense," Carter says. "The laws have teeth, of course. We can issue orders, and obtain the sanction of the courts if they are not obeyed. But the main tools are conference and conciliation. You've not only got to get a man into a job or a housing unit or a hotel, you've got to get him accepted."

Any person may file a discrimination complaint with SCAD in any of its three areas of jurisdiction—employment, public accommodation, or public housing.

One of the five commissioners is then assigned to investigate. He may dismiss the complaint or, finding probable cause, begin the process of consultation and conciliation with the offending employer, labor union, public official, or proprietor. If that fails there is a public hearing culminating in dismissal or in an order to cease and desist.

Typical case load

The case load was slightly off, but 1959 was a typical year for SCAD. Of the 794 complaints, 84.5 per cent pertained to employment, 10.1 per cent to places of public accommodation, and 5.4 per cent to public housing. Color was the alleged basis of discrimination in 67.5 per cent of these cases; creed (primarily Jewish), place of origin (primarily Puerto Rican), and age accounted for the rest.

It is human nature to fancy personal grievances where none exist—or at least are not subject to verification. SCAD rejects a surprisingly high total of the complaints received. Last year 1187, including some carried over from the year before, were officially closed; probable cause to sustain charges of discrimination was found in only 199. Consultation and conciliation settled all but 10.

This may seem like a lot of work for so little direct, tangible result. But Carter insists that the very existence of the laws, and of the agency to enforce them, has produced marked changes in New York.

Discrimination not ended

Carter would be the last to claim that all discrimination has ended in New York.

"There are thousands of cases we never hear about, and there are hundreds of ways of getting around us even when we do. You can technically obey the law, and in subtle ways simply make it so unpleasant for a colored person that he can't stay around. But we have managed to open up whole new areas of employment for Negroes and, as always, experience is the best teacher. Employers find out that Negroes can be good workers and pleasant people to have around—and another door has been opened, and the word is spread."

On his gloomier days, Carter cheers himself up by gazing down upon the streets of the financial district which spread away from SCAD's headquarters in a tall building on Lower Broadway.

"When we first set up shop 14 years ago, you could look downing on eggs. Now they swarm at the lunch hour and you wouldn't see a single colored girlsee their confidence." unless she happened to be a charwoman. Now, when they come pouring out of the offices Negroes are dotted among the secre-

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Negro Ghettos in the North

The Atlanta Constitution

NAACP Losing Hold on Negroes?

Atlanta Ga.
Thurs. 5-19-60
Pg 1

By HARRY S. ASHMORE

In the forthcoming June issue of Harper's magazine a Negro journalist, Louis E. Lomax, has written an epitaph for the National Association for the Advancement of Colored People, and appended a sort of marble footnote to record the prior demise of the Urban League.

The lunch counter sitdown demonstrations of Southern Negro college students, Lomax writes, "were proof that the Negro leadership class, epitomized by the NAACP, was no longer the prime mover of the Negro's social revolt."

Eleventh of a series.

"This revolt," Lomax continues, "swelling underground for the past two decades, means the end of the traditional Negro leadership class. Local organization leaders were caught flat-footed by the demonstrations; the parade had moved off without them. In a series of almost frantic moves this spring, they lunged to the front and shouted loud, but they were scarcely more than a cheering section — the leaders no more."

Lomax's reliability as a witness in these matters inevitably will be challenged, and his case is weakened by his conscious stance as an aging Angry Young Man. Even so, he has reduced to the type of an eminently respectable national magazine's complaint that can be heard in every Negro community from Boston to Los Angeles.

In part this is an emotional reaction to the quickening drumbeat of African revolt, and to the spectacular forays of the Southern college students who have broken out of the orderly channels of legal protest against discrimination.

In part it is a symbolic picking up of the gauntlet thrown down by the white extremists of the South, who have preached economic boycott, threatened terror and lit the fuse of an occasional stick of dynamite.

Thurgood Marshall, the NAACP counsel, who probably retains more favor among the disaffected than any of his contemporaries, rang no bells when he proclaimed in a speech reviewing "The Fifty Year Fight for Civil Rights":

"We are still determined that regardless of what tactics are used against us, we will not get down in the gutter with the people seeking to serve any unconstitutional mode of government."

PRACTICAL REASONS

There is a direct echo of Booker T. Washington here, and the answer, enunciated in the inordinately precise accents of the young Negro intellectual, might well be: Why not?

The embattled Negro leaders can offer reasons based on practical considerations as well as principle. They can point to a record of steadily accelerating Negro gains on almost every front and demonstrate from the record that these were made possible by a working coalition between Negroes and white liberals. They can argue in terms of tactics and logistics, pointing out that in every significant sector Negroes are a minority without sufficient weight to press their own cause unaided, and citing the undeniable fact that every important organized effort in the past has been largely financed by white sympathizers.

NO MORE WHITE ORIENTATION

The rebuttal comes more from the heart than the head. Lomax states it in these terms:

"The Negro masses will name leaders and give them power and responsibility. But there will never again be another class of white-orientated leaders such as the one that has prevailed since 1900."

For better or for worse. Lomax may very well be right.

But if the break with the old leadership has come or is in sight, the replacements for the present distinguished company of tacticians, persuaders, advocates and conciliators are not yet in sight.

So far, when the Negro masses have turned away from the established group to name their own leaders and confer upon them power and responsibility they most often have come up with Adam Clayton Powell or someone of like character and less innate ability. Over the years Powell has discharged his responsibility only by breaking his unremitting pursuit of personal ends with periods of intense and sometimes pointless agitation.

In his eight terms in Congress, Powell has initiated, or been instrumental in passing, few measures of practical value to the Negro people. On the contrary he has sabotaged a number of housing, education, and other social measures of prime benefit through his adamant insistence on appending sometimes meaningless anti-discrimination clauses. He concedes his maverick role, and defends it:

"I'm an irritant. That's it, and I see myself that way. Just keep on turning the screw, turning the screw. Drip, drip, drip makes a hole in the marble."

THE LAST REVOLUTIONARY

A few days ago, speaking before Princeton University's Cliosophic Society, Powell turned his fire directly on the present leadership even while borrowing a thesis and a good deal of language from one of its distinguished members, Prof. John Hope Franklin of Brooklyn College. "The last revolutionary is the Negro," Powell proclaimed, taking the line directly from an eloquent article written by Franklin for the Urban League.

Franklin had put the case this way:

"Not only does his Americanism compel the Negro to strive to improve his own status by demanding the rights that are his. It also gives him, as it gives to others committed to the ideals set forth in the American dream, a burning desire to make the system work. He is the acid test of the system, and he knows it. . . . He is a proud American who wants to make Americanism work."

Powell somehow took off from this point and wound up with this:

"The trust of the Negro mass has impaled accidentally the Northern 'liberal' . . . . The thrust of the Negro today is sweeping away from underneath the white liberal the foundations upon which he has stood so long—that of being the Great White Father or the Great White Mother of the Negro people. Desperately, with contrived organizations and committees plus certain captive Negroes —and that is a refined phrase for Uncle Toms—the Northern 'liberal' is trying to hold on."

BRANDED "DEMAGOGUE"

This is not a new line with the preacher-politician. He was, as he has done over a period of several years, returning prior fire directed at him by leaders of the NAACP and other Negroes who have publicly branded him a "racist demagogue." The term plainly stings Powell, but it has not deterred him in his sustained effort to play upon the emotions of the Negro people—as, indeed, it practically could not since this is the single technique that holds together his solid, political following despite his well-publicized personal and political peccadilloes.

Powell is an adequate symbol of the difficulties that increasingly beset responsible Negro leaders—and, although in the nature of the human condition they do not recognize it, the mass of Negro people themselves. There is a genuine cause, and in the terms of the everyday lives of Negroes it is a pressing one. The members of any embattled minority do not take to the long, philosophical view; they respond to crude symbols, and their reaction is usually glandular.

Under these circumstances, complicated as they are by the generally lower educational level of the Negro people, it is no more possible to conduct a rational debate on the race issue within the Negro community than it is within the impassioned and disturbed white community of the South.

"PHONY LIBERALS"

The Negro leader who tries immediately finds himself assailed on the ground that he has joined the white enemy camp to shore up his own status in the larger community—and it is further argued that in the rarefied atmosphere of the national inter-racial movements, he has lost touch with the Negro masses.

In an earlier time, when Negro ministers and educators spoke for the colored community in seeking concessions from the dominent whites, the term of opprobrium was "Uncle Tom," an invocation of the stereotype of the servile Negro currying favor by tugging his forelock in the presence of his masters. Today it is "phony liberal"—and it applies not only to Negroes who deal with whites in high places, but also to the white with whom they deal.

These two shock words constituted the two-inch-high banner headline under which Harlem's "Amsterdam News" recently reported an offhand remark by former President Truman to the effect that if he were still running a haberdashery he would throw out any customer who tried to sit in to protest discrimination. Wiped out at a stroke was the long record of Mr. Truman's soul-searing battle for civil rights legislation, in which he held firm even while his party split apart and the Southern wing threatened his re-election.

THE NEGRO PRESS

This sort of thing is the stock in trade of the Negro press, which is always sensational, frequently irresponsible and sometimes venal. Feeding their readers a steady diet of alleged white atrocities and affronts against Negroes, these journals unsheath their long knives against any colored leader who compromises to any degree on a racial issue, and the attack is always personal. In 1957 when the Big Three of national Negro leadership—Roy Wilkins, Martin Luther King and A. Philip Randolph — reluctantly endorsed a thoroughly watered-down federal civil rights bill as, at least, better than nothing, the Negro press reacted as though they had sold Adam Clayton Powell down the river.

Louis E. Martin of the Chicago Defender acidly inquired: "How silly can you get?" Louis Lautier of the Afro-American of Baltimore charged: "Ike charmed the Negro leaders and none of them uttered a word of criticism."

One result is to make internal reform within the Negro community extraordinarily difficult and often impossible. One of the ablest Negro newspapermen has put it this way: "You charge a race man with wrongdoing that has nothing whatever to do with race, and he charges you with breaking the solid front against the whites and harming the cause. Hit him a second lick, and he'll call you an Uncle Tom and say you've sold out—and it usually works with most of his followers."

REJECT LEADERS

It is probably true, as many thoughtful Negroes believe, that this condition is transient—a reflection of the dislocations that mark the end of an era. In emotionally rejecting white paternalism, the rising generation of educated Negroes of necessity also reject the Negro leaders who employed it in the time it was, in fact, essential to Negro progress.

"I guess it's a matter of coming of age," says a reflective old social worker, who himself bears heavy scars inflicted by his own people. "There comes a time when you have to move out on your own. You don't know as much as your elders, but what you do know you have to find out for yourself.

"That's the way it is with those kids on the college campus down South and the ones all over the country who are out picketing to support them. Sooner or later, they are going to provide the new Negro leadership anyway. Maybe it's just as well if it's sooner."

Negro Ghettos in the North

Court Victories Turn Rights Tide

This is the tenth of twelve articles written for the Herald Tribune by Harry S. Ashmore, Pulitzer Prize-winning former executive editor of "The Arkansas Gazette," of Little Rock, Ark.

By Harry S. Ashmore

For more than two decades the great national battleground for Negro rights has been in the courts.

The victories have been famous, culminating in the final reversal of the old Plessy separate - but - equal doctrine and the establishment of a precedent by the United States Supreme Court that effectively bans any form of official discrimination against Negroes.

The grand strategy was designed by the National Association for the Advancement of Colored People, and N. A. A. C. P. lawyers led by Thurgood Marshall carried the battle to the judges. This in itself was a matter of considerable significance; in the crusade to remove the legal buttresses of second-class citizenship Negroes for the first time assumed personal leadership, and the white liberals who supported their cause faded into the rear ranks.

Impact Everywhere

The actual orders issued in the historic series of court cases were directed at the Southern states, which had translated the custom of racial segregation into law. But the impact was felt by colored people everywhere, from Harlem to Bandung.

The Negro psychologist Kenneth Clark, of New York University, believes the climactic Brown decision of 1954, which outlawed segregation in the public schools, marked an emotional turning point for American Negroes as significant as that occasioned by the Emancipation Proclamation.



Associated Press

LED NEGRO STRUGGLE IN COURTS — Lawyers who carried fight to U. S. Supreme Court for abolition of segregation in the public schools are (left to right): George E. C. Hayes, Washington; Thurgood Marshall, New York, and James M. Nabrit, dean of Howard University Law School.

"Consciously or unconsciously, and no matter how much we might rebel against it, we all had accepted the fact of second-class status," he says. "The Jim Crow cases that came before, important as they were, didn't directly approach the basic point. The Brown decision did—and for the first time every Negro everywhere felt that he was a man in his own right, that his government would help him prove it."

This, in Mr. Clark's view, in the end will prove far more important than the slow and painful process of school desegregation that has been initiated in the South. In his own case, it was in part at least the psychological impact of the Brown case that prompted him to assume a key role in the extra-legal battle to minimize the de facto segregation that still exists in New York's public schools.

Led in Battle

Although spokesmen from the New York Urban League and other organizations originally pleaded before the New York School Board for what its numerous critics have called forced integration of the city's schools, it was Mr. Clark who called the shots. He accepted as a premise the fact that the segregated neighborhoods which produced segregated schools in New York could not be abolished overnight. But the segregation which produced inferior schools and subjected the children who attended them to special handicaps, he insisted, could be ended by direct action. He proposed, in essence, that children be shuffled about in the schools without regard to residence or attendance area so that genuine integration would be universal.

"The Supreme Court had said that segregation in the schools inhibited the students who were subjected to it, and I agreed," Mr. Clark says. "I thought that was just as true in New York as it was in Little Rock."

Residential segregation still produces school segregation in New York, as it does in every major American city, but Mr. Clark contends that the two-year campaign has produced significant results. There have been changes in administrative personnel, and in policy, which are at least based on the principle he espoused, and he believes that important precedents have been set.

Gains Outside South

The Negro struggle for equality in education has been the focus of national attention in recent years, and was, of course, the initial cause of the Southern resistance that has made headlines around the world. But outside the South Negroes have been pressing on many other fronts, with notable legal and practical results.

Most lawyers, and very probably most members of the United States Supreme Court, feel that precedent-making by interpretation of the Constitution—or, as in the Brown case, re-interpretation — has gone about as far as it can go. The public policy is now sharply and unmistakably defined: There can be no discrimination on the basis of race in any public activity; that is, any activity conducted under public authority or supported by public funds. The rulings in the area of private activity are more shadowy, but even here an impressive number of state and local statutes have been enacted and so far have withstood the test of litigation.

Laws of this character, while they vary widely in intent, effectivenes and in the stringency of their enforcement, are now on the books of most non-Southern states. They are aimed, for the most part, at the bread-and-butter level of daily living. In their application they reduce to irrelevancy the Congressional civil rights measures which regularly produce Southern filibusters, deadlock Congress, and sunder the Democratic Party.

New York a Leader

New York, where anti-discrimination laws go back to 1881, has long been the leader in the field. Its Fair Employment Act, passed in 1945, was the first in the nation. In 1952 the law was amended to cover discrimination in places of public accommodation, and in 1955-'56 was extended to publicly-assisted housing.

In an official pamphlet published in 1959 Gov. Nelson Rockefeller proudly proclaimed: "The state's laws on discrimination are unsurpassed in the United States." Whether the claim still stands up may now be open to question. In the closing days of the recent legislative session in Albany a bill to outlaw discrimination in private housing was choked to death in a legislative bottleneck, and the Democrats laid the blame on the Governor's doorstep. In this regard New York now lags behind Massachusetts, Connecticut, Washington, Colorado and Oregon —although New York City is enforcing a city ordinance carrying similar provisions.

A legal declaration against discrimination, and an end to it in practice, are of course two very different things. In New York the enormous task of implementing the statutes is charged to the State Commission Against Discrimination. In its fourteen years of operation, S. C. A. D. has pioneered many of the techniques now employed by similar agencies in other states.

S. C. A. D.'s chairman and chief executive officer is Elmer Carter, a massive, very dark man who came to the agency at its inception from a background of social work with the Urban League.

'Patience, Common Sense'

"The primary requirements for this kind of work are patience and common sense." Mr. Carter says. "The laws have teeth, of course. We can issue orders, and obtain the sanction of the courts if they are not obeyed. But the main tools are conference and conciliation. You've not only got to get a man into a job or a housing unit or a hotel, you've got to get him accepted."

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The case load was slightly off, but 1959 was a typical year for S. C. A. D.. Of the 794 complaints, 84.5 per cent pertained to employment, 10.1 per cent to places of

public accommodations, and 5.4 per cent to public housing. Color was the alleged basis of discrimination in 67.5 per cent of these cases; creed (primarily Jewish), place of national origin (primarily Puerto Rican), and age accounted for the rest.

Some Grievances Fancied

It is human nature to fancy personal grievances where none exist—or at least are not subject to verification. S. C. A. D. rejects a surprisingly high total of the complaints received. In 1959 a total of 1187, including some carried over from the year before, were officially closed; probable cause to sustain charges of discrimination was found in only 199. Consultation and conciliation settled all but ten.

This may seem like a lot of work for so little direct, tangible result. But Mr. Carter insists that the very existence of the laws, and of the agency to enforce them, has produced marked changes in New York.

"Particularly in the beginning," he said, "there were many cases in which employers were personally willing to hire Negroes, but were afraid to because they thought their other employees or their customers would object. Once the law was on the books they could go ahead, and if anybody protested they could point to the statute and say they didn't have any choice.

"It worked that way in hotels, bars and restaurants, too, when the law was broadened in 1952. I think there were many proprietors who were actually relieved to have someone else resolve an issue that had been bothering them for a long time. They had a good excuse to serve Negroes—and as it turned out, only in rare cases did any one really object."

Still Discrimination

Mr. Carter would be the last to claim that all discrimination has ended in New York.

"There are thousands of cases we never hear about, and there are hundreds of ways of getting around us even when we do. You can technically obey the law, and in subtle ways simply make it so unpleasant for a colored person that he can't stay around. But we have managed to open up whole new areas of employment for Negroes and, as always, experience is the best teacher. Employers find out that Negroes can be good workers and pleasant people to have around — and another door has been opened, and the word is spread."

On his gloomier days, Mr. Carter cheers himself up by gazing down upon the streets of the financial district which spread away from S. C. A. D.'s headquarters in a tall building on Lower Broadway.

"When we first set up shop fourteen years ago, you could look down there at the lunch hour and you wouldn't see a single colored girl unless she happened to be a charwoman. Now, when they come pouring out of the offices Negroes are dotted among the secretaries and clerical workers. I remember how the first few used to carry themselves—rigid and uncertain, as though they were walking on eggs. Now they swing along just like the rest, and you can see their confidence.

Many Forces at Work

"Of course S. C. A. D. isn't solely responsible for the change. All manner of forces have been at work, including a general softening of white attitudes. And education among Negroes, training them for better jobs and making them want them. But maybe it was S. C. A. D. that first held out the hope that decent employment would be waiting if they stuck to their schooling instead of giving up and taking a menial job. Anyway, I like to look down there and see those girls walking along in the sun. It's my personal vision of progress."

SERIES OF ARTICLES BY- MR. HARRY S.ASHMORE

Negro Ghettos in the North

New York Herald Tribune New York

New Leadership Class Seen Rising

Fri 5-20-60

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The lunch counter sit-in demonstrations of Southern Negro college students, Mr. Lomax writes, "were proof that the Negro leadership class, epitomized by the N. A. A. C. P., was no longer the prime mover of the Negro's social revolt."

"This revolt," Mr. Lomax continues, "swelling underground for the past two decades, means the end of the traditional Negro leadership class. Local organization leaders were caught flat-footed by the demonstrations; the parade had moved off without them. In a series of almost frantic moves this spring, they lunged to the front and shouted loud, but they were scarcely more than a cheering section—leaders no more."

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Emotional Reaction

In part this is an emotional reaction to the quickening drumbeat of African revolt, and to the spectacular forays of the Southern college students who have broken out of the orderly channels of legal protest against discrimination.

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"We are still determined that regardless of what tactics are used against us, we will not get down in the gutter with the people seeking to serve any unconstitutional mode of government."

There is a direct echo of Booker T. Washington here, and the answer, enunciated in the inordinately precise accents of the young Negro intellectual, might well be: Why not?

Can Point to Record

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The rebuttal comes more from the heart than the head, Mr. Lomax states it in these terms:

"The Negro masses will name leaders and give them power and responsibility. But there will never again be another class of white-oriented leaders such as the one that has prevailed since 1900."

For better or for worse, Mr. Lomax may very well be right.

But if the break with the old leadership has come, or is in sight, the replacements for the present distinguished company of tacticians, persuaders, advocates and conciliators are not yet in sight. So far, when the Negro masses have turned away from the established group to name their own leaders and confer upon them power and responsibility they most often have come up with Adam Clayton Powell or some one of like character and less innate ability. Over the years Mr. Powell has discharged his responsibility only by breaking his unremitting pursuit of personal ends with periods of intense and sometimes pointless agitation.

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Sees Self as 'Irritant'

"I'm an irritant. That's it, and I see myself that way. Just keep on turning the screw, turning the screw. Drip, drip, drip makes a hole in the marble."

A few days ago, speaking before Princeton University's Cliosophis Society, Mr. Powell turned his fire directly on present Negro leadership even while borrowing a thesis and a good deal of language from one of its distinguished members, Professor John Hope Franklin, of Brooklyn College. "The last revolutionary is the Negro," Mr. Powell proclaimed, taking the line directly from an eloquent article written by Mr. Franklin for the Urban League.

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"The thrust of the Negro mass has impaled accidentally the Northern 'liberal.' . . . The thrust of the Negro today is sweeping away from underneath him the foundations upon which he has stood so long—that of being the Great White Father or the Great White Mother of the Negro people. Desperately, with contrived organizations and committees plus certain captive Negroes—and that is a refined phrase for Uncle Tom—the Northern 'liberal' is trying to hold on."

Branded 'Demagogue'

This is not a new line with the preacher-politician. He was, as he has done over a period of several years, returning prior fire directed at him by leaders of the N. A. A. C. P. and other Negroes who have publicly branded him a "racist demagogue." The term plainly stings Mr. Powell, but it has not deterred him in his sustained effort to play upon the emotions of the Negro people—as, indeed, it practically could not since this is the single technique that holds together his solid, political following despite his well publicized personal and political peccadilloes.

Mr. Powell is an adequate symbol of the difficulties that increasingly beset responsible Negro leaders—and, although in the nature of the human condition they do not recognize it, the mass of Negro people themselves. There is a genuine cause, and in the terms of the everyday lives of Negroes it is a pressing one. The members of any embattled minority do not take to the long, philosophical view; they respond to crude symbols, and their reaction is usually glandular.

Under these circumstances, complicated as they are by the generally lower educational level of the Negro people, it is no more possible to conduct a rational debate on the race issue within the Negro community than it is within the impassioned and disturbed white community of the South.

The Negro leader who tries immediately finds himself assailed on the ground that he has joined the white enemy camp to shore up his own status in the larger community—and it is further argued that in the rarefied atmosphere of the national interracial movements he has lost touch with the Negro masses. In an earlier time, when Negro ministers and educators spoke for the colored community in seeking concessions from the dominant whites, the term of opprobrium was "Uncle Tom," an invocation of the stereotype of the servile Negro currying favor by tugging his forelock in the presence of his masters. Today it is "phony liberal"—and it applies not only to Negroes who deal with whites in high places, but also to the whites with whom they deal.

Truman as an Example

These two shock words constituted the two-inch high banner headline under which Harlem's "Amsterdam News" recently reported an offhand remark by former President Truman to the effect that if he were still running a haberdashery he would throw out any customer who tried to sit in to protest discrimination. Wiped out at a stroke was the long record of Mr. Truman's soul-searing battle for civil rights legislation, in which he held firm even while his party split apart and the Southern wing threatened his re-election.

This sort of thing is the stock in trade of the Negro press, which is always sensational, frequently irresponsible, and sometimes venal. Feeding their readers a steady diet of alleged white atrocities and affronts against Negroes, these journals unsheath their long knives against any colored leader who compromises to any degree on a racial issue, and the attack is always personal. In 1957, when the Big Three of national Negro leadership — Roy Wilkins, Martin Luther King, and A. Philip Randolph—reluctantly indorsed a thoroughly watered-down Federal civil rights bill as at least better than nothing, the Negro press reacted as though they had sold Adam Clayton Powell down the river.

Louis E. Martin, of "The Chicago Defender," acidly inquired: "How silly can you get?" Louis Lautier, of "The Afro-American," charged: "Ike charmed the Negro leaders and none of them uttered a word of criticism."

One result is to make internal reform within the Negro community extraordinarily difficult and often impossible. One of the abler Negro newspaper men has put it this way: "You charge a race man with wrong doing that has nothing whatever to do with race, and he charges you with breaking the solid front against the whites and harming the cause. Hit him a second lick, and he'll call you Uncle Tom and say you've sold out — and it usually works with most of his followers."

It is probably true, as many thoughtful Negroes believe, that this condition is transient—a reflection of the dislocations that mark the end of an era. In emotionally rejecting white paternalism, the rising generation of educated Negroes of necessity also reject the Negro leaders who employed it in the time when it was, in fact, essential to Negro progress.

'Coming of Age'

"I guess it's a matter of coming of age," says a reflective old social worker, who himself bears heavy scars inflicted by his own people, port them. Sooner or later, "There comes a time when they are going to provide the you have to move out on your new Negro leadership anyown. You don't know as much way. Maybe it's just as well as your elders, but what you if it's sooner. do know you have to find out for yourself.

"That's the way it is with those kids on the college campuses down South, and the ones all over the country who are out picketing to sup-



Associated Press

NEGRO LEADER AT WHITE HOUSE—A. Philip Randolph with President Eisenhower in June, 1959, when president of the International Brotherhood of Sleeping Car Porters, conferred with Mr. Eisenhower on integration and civil rights problems.

'No Buying' Boycotts On Increase In Southland

By United Press International

The effects of "no buying" boycotts by Negroes to protect racial segregation in the South were disputed Monday but the movement appeared growing.

Some merchants in Jackson, Miss., where an Easter week boycott of all white - owned stores began Monday morning, admitted by noon that their business was being hurt. Others said they noticed little effect.

Lunch counter sitdown protests were resumed in Nashville, Tenn., in addition to a buying boycott Monday. Approximately 70 Negroes took seats at "white only" lunch counters in five downtown Nashville stores shortly after noon.

Several of the stores closed their counters. Police were called to the scene.

The sitdown demonstrations followed collapse of negotiations between merchants and Negro leaders over a plan for partial lunch counter desegregation recommended by a Mayor's bi-racial committee for Nashville.

The NAACP meanwhile called on Negroes all over the South to boycott stores which have segregated lunch counters. Such boycotts were already in effect in a number of cities.

KING SPEAKS

In Atlanta, the leader of the Southern Christian Leadership Council, the Rev. Martin Luther King, jr., said that anti-segregation demonstrations by Negroes in the South were only a beginning in a campaign for social equality. He warned against any violence.

"The quickest way to full recognition of first-class citizenship is to try to be the best law-abiding citizen in your community," King told a Negro student audience at Spelman college.

"This struggle we are going through today is not to benefit the Negro race only, but it will save the soul of America in the sight of other nations of the world."

HIT JACKSON

The shift in tactics from lunch counter "sitdown" demonstrations to economic boycotts by the entire Negro community of a city was underscored at Jackson, Miss. The boycott of all white stores in Jackson beginning Monday for a week or more, coinciding with usually heavy Easter shopping, was the first mass demonstration by Negroes in staunchly - segregationist Mississippi.

NEGRO STORE BOYCOTT HAS A MIXED START

Some Merchants Hard Hit in South

By UNITED PRESS INTERNATIONAL

The effects of store boycotts by Negroes to protest racial segregation in the south were disputed Monday, but the movement appeared to be growing.

Some merchants in Jackson, Miss., where an Easter week boycott of all white-owned stores began Monday morning, admitted that their business was being hurt. Others said they noticed little effect.

Some white store owners have threatened to fire Negro employes if the boycott seriously affects their business.

Resume Counter Sitting

Lunch counter sitdown protests were resumed in Nashville, Tenn., in addition to a buying boycott. Approximately 70 Negroes took seats at "white only" lunch counters in five downtown Nashville stores shortly after noon.

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The National Association for the Advancement of Colored People meanwhile called on Negroes all over the south to boycott stores which have segregated lunch counters. Such boycotts were in effect in a number of cities.

Warns Against Violence

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"The quickest way to full recognition of first class citizenship is to try to be the best law abiding citizen in your community." King told a Negro student audience at Spelman college.

"This struggle we are going thru today is not to benefit the Negro race only, but it will save the soul of America in the sight of other nations of the world."

First Mass Demonstration

The boycott in Jackson, coinciding with usually heavy Easter shopping, was the first mass demonstration by Negroes in staunchly-segregationist Mississippi.

Medgar Evers, field secretary of the N. A. A. C. P. in Jackson, said the boycott had started successfully and said his prediction that 70 per cent of Jackson's 61,000 Negroes would take part was holding true.

The manager of a shoe store in Jackson said his business, mostly Negro, was off by 75 per cent. He charged that many Negroes have been intimidated. "Colored folks are phoning us and asking if it is safe to come down," he said. "They want to, but they are afraid to."

Effects Elsewhere

The manager of a large variety store, which operates a white-only lunch counter, said his business was normal with the usual number of Negro shoppers. Supermarkets in Negro sections of Jackson reported no drop in their Negro trade.

Elsewhere in the south there were these reports:

Savannah, Ga.—The Rev. Andrew O. Holmes, N. A. A. C. P. field secretary for Georgia, reported a boycott in Savannah was "well along" with the emphasis on clothing stores. Negro pickets were out in the downtown section, and N. A. A. C. P. members were passing out tracts, "Please don't spend any money for clothing in Savannah or Chatham county." One aim, a spokesman said, is to place Negro salesmen in the stores.

Greensboro, N. C.—N. A. A. C. P. members urged Negroes: "Support our students. Don't buy anything new. Dry clean the old. Join the new Negro in the Easter parade for freedom." Dr. George Simpkins, president of the Greensboro N. A. A. C. P. chapter, said, "We are urging Negroes to stay out of all stores which discriminate against Negroes in any way."

Mississippi Negroes Map Trade Boycott

United Press International.

ATLANTA, April 8.—Negro college leaders in Mississippi, the only Southern state so far free from Negro sitdown demonstrations, announced plans today for a one-week boycott of white business firms in the capital city of Jackson.

The purpose, they said, is to show that Negroes are not satisfied with conditions in Mississippi.

They emphasized that the boycott will not be accompanied by sitdowns or other demonstrations.

"Demonstrations seem to antagonize rather than harmonize," said Charles A. Jones, dean of the seminary of Campbell College in Jackson.

Mr. Jones and Alfred Cook president of the Campbell student body, announced the proposed boycott at a news conference.

Other developments in the integration situation:

● About 100 persons staged what was described as a protest march at Bloomington, Ind., early today against the election of a Negro as president of the Indiana University student body. Thomas Atkins, 21, Elkhart, was named by a 46-vote margin in an election yesterday.

● A Negro student in Columbia, S. C., who has quarter-backed lunch-counter protests called for an Easter buying boycott of all stores in the South Carolina capital that maintain segregated lunch counters.

● In Rock Hill, S. C., a third Negro was convicted on breach of peace charges in connection with a March 15 antisegregation demonstration in which 70 Negroes were arrested.

● In Nashville, Tenn., merchants and leaders of the sit-down movement planned to meet tomorrow in an effort to work out an agreement on lunch counter seating.

● In Richmond, Va., four drug stores in a predominantly Negro neighborhood lowered the segregation barriers at their lunch counters.

● At Austin, Tex., an effigy of a Negro was hanged early today from a tree on the University of Texas campus, the scene of recent peaceful demonstrations asking broader integration.

Mississippi Negroes Call For Boycott

First Such Protest Against State's Bias

By United Press International

Negro protests against racial segregation in the south reached Mississippi yesterday with a call for an Easter Week boycott of white merchants in the state's capital city.

The boycott, described by Negro leaders as a "community project," will be spearheaded by students at two Negro colleges at Jackson, who predicted that 70 per cent of Jackson's 61,000 Negroes would join them.

Similar Easter buying boycotts have been called by Negroes in a number of Southern cities, particularly those in which some boycotting of white merchants with segregation policies is already in effect.

No lunch-counter sitdowns other than the buying boycotts have occurred in these cities include Tallahas- said the boycott is aimed at
see, Fla., Savannah and At- onstrations during a wave of larger segregation and racial discrim-
lanta, Ga., Memphis, Tenn., Mississippi, with such incidents across the rest ination in general.
and Richmond and Petersburg, Va. of the South during the last two months. And no incidents of the state, has perhaps the most stringent segregation cus- toms and laws. The organizers or other anti-segregation demonstrations are planned, the Jackson stu-

Boycott And Counter-Boycott

From The Christian Science Monitor

Boycotts and blacklists have an unpleasant way of spreading until they not only embroil innocent parties but sometimes come full circle on their initiators. The Arab states' blacklisting of ships that have carried cargoes to Israel has made matters difficult for maritime nations in general and could be costly to the Arab world as well.

When members of the Seafarers International Union recently picketed the Egyptian motorship Cleopatra in New York, it was charged they had been induced to take up cudgels for Zionism in its efforts to open the Suez Canal to Israeli goods. Paul Hall, president of the union, replied in a cable to President Nasser of the United Arab Republic that the action was based on the fact that many SIU members have lost jobs because of the U.A.R.'s closure of its ports and the canal to "certain American ships."

The picketing in New York now has been answered by a general refusal of dockworkers represented in the International Federation of Arab Workers to load or unload any American-flag ships in ports not only of the U.A.R. but also Lebanon, Jordan, and elsewhere. This may involve the jobs of more American seamen than are affected by the Arab blacklist for trade with Israel.

Some of this trade can be carried in other than American ships, but United States law requires that surplus grain given or sold by the government at favorable prices be shipped in American bottoms. In this the U.A.R. may be depriving itself of food the United States would be glad to provide, or adding to their own costs by transshipment.

The whole matter of boycott is a bad business. It bedevils the efforts of American foreign policy to pursue a course of friendship to Arab and Israeli alike. It handicaps the development of the Middle East. It should give way to a better understanding of the value of freedom of the seas and freedom of trade.

38a 1960

GENERAL

DR. ALLAN KNIGHT CHALMERS,
NAACP - LEGAL DEFENSE AND EDUCATIONAL FUND

To Achieve Integration

TO THE EDITOR OF THE NEW YORK TIMES:

Now I commend Dr. Allan Knight Chalmers and The New York Times for the letter published in your issue of April 26.

Dr. Chalmers does the cause of the sit-ins in the South a great service. His letter clearly indicates a full appreciation for the Gandhian method which is being used. But it goes further in showing the pattern of the struggle for integration—a pattern in which legal and educational as well as direct, nonviolent action figures.

I was pleased that Dr. Chalmers, writing as president of N. A. A. C. P. Legal Defense and Educational Fund, mentioned CORE (Congress of Racial Equality) twice for its field service in the sit-in movement.

This underscores the cooperation between established organizations—each bringing to bear its own special emphasis. As one of the sponsoring organizations for the Easter Conference on the Sit-Ins, held in Raleigh, we very much regretted the attack on the N. A. A. C. P. alleged to have been made there.

Cooperation is the only reason that so much has already been accomplished and that much more can be expected. CORE has been coordinating picket lines in this area, and we want to thank all the organizations, churches, labor unions, and so forth, which have taken responsibility for conducting the many lines. Without such help, CORE by itself could not have been effective in this huge campaign.

JAMES R. ROBINSON,
Executive Secretary, CORE.
New York, April 26, 1960.

$$ for Dignity

The Pittsburgh Courier Moves Nearer To $500 Mark

Moving slowly upwards, the Courier's "Dollars for Dignity" campaign crept toward the $500 mark this week as contributions reached a total of $479.50.

The dollars continued to come from all parts of the nation with contributions ranging all the way from $112 handed in by Detroit and Pittsburgh employes of The Pittsburgh Courier to the regular $1 donations.

The individual record is still in the possession of Mrs. Shirley Graham DuBois of New York City, who gave $100 to the "Dignity Drive" last week. This week's donors include the following:

$102.00

Pittsburgh Courier employes, Pittsburgh, Pa.

$11.00

Mr. and Mrs. Robert T. McEnheimer, Pittsburgh, Pa.

$10.00

A. T. Braithwaite, M.D., Waco, Tex.
Nelson L. Sykes, Chicago, Ill.
Pittsburgh Courier employes, Detroit, Mich.

$5.00

Grace Joy Traylor, Atlanta, Ga.
Mrs. U. E. Lucas, New York, N. Y.
Dr. James J. McClendon, Detroit, Mich.
R. R. Hagans, South Norwalk, Conn.
Edgar F. Gordon, Boston, Mass.
James Hayes, Jr., New Orleans, La.
Raynard J. Marx, Chicago, Ill.
Mr. and Mrs. J. L. Hill, Phoenix, Ariz.
Robert McDowel, Therman, Calif.
E. A. Johnson, Clifton Forge, Va.

$3.00

Mr. and Mrs. Joseph Church, Brooklyn, N. Y.

$2.50

John Henry M. Whitehead, Daytona Beach, Fla.

$2.50

John Henry M. Whitehead, Daytona Beach, Fla.
N. F. Davis, Piqua, Ohio.
J A. Rogers, New York N. Y.
Gaitha and Olivia Page, Kansas City, Kan.
Ruth Hightower, Pittsburgh, Pa.
Alice E. Young, Washington, D. C.
John Ford, Tucson, Ariz.
J. H. Haywood Jr., Washington, D. C.
Mr. and Mrs. C. Coleman, Fairmount, W. Va
Philip Peterson, San Francisco, Calif.
Wayne Roberson, W. Rochester, N. Y.
H. P. Miller, Danville, Ill.
Mr. and Mrs. Handsel S. Bell, Berkeley, Calif.
Mrs. Gertrude Vaughan, Cleveland, Ohio.
Rev. and Mrs. James M. Busch, Dalton, Mass.
Martin Duke, Newark, N. J.
Joe Bib'le, Los Angeles, Calif.
Lottie Maie Bib'le, Seattle, Wash.
S. Brown, Chicago, Ill.
Bill Barnes, Jamestown, N. Y.
Joseph E. Lloyd, Seattle, Wash.
Ray Harris, Cincinnati 27, Ohio.
Mrs. Portia J. Powell, Kansas City, Mo.

$1.00

John M. Brewer, Pittsburgh, Pa.
Howard Gamble, New York, N. Y.
R. J. Wilson Jr., Brunswick, Ga.
R. J. Wilson, Brunswick, Ga.
M. L. Griffin, Enid, Okla.
Dr. Marcus S. W. McBroom, Los Angeles, Calif.
George J. Morrison, Roxbury, Mass.
Allen M. Tucker, Bordentown, N. J.
Elder William Dias, Pricedale, Pa.
C. Brown, San Francisco, Calif.
James E. Jones, Washington, D. C.
James Austin, Trenton, N. J.
J. C. Thompson, Chicago, Ill.
I. Coleman, Sarasota, Fla.
Clarence H. Buford, Veterans Hospital, Buffalo, N. Y.
Howard Gray, Chicago, Ill.
Judson Mitchell, Chicago, Ill.
James McDaniel, Chicago, Ill.
Gail Herndon, Chicago, Ill.
Lee Wagner, Chicago, Ill.
McClain Royster, Chicago, Ill.
Herma Orr, Chicago, Ill.
Robert Davis, Chicago, Ill.
Ann Gross, Chicago, Ill.
Jessie Harrien, Chicago, Ill.
Raymond Dudley, Chicago, Ill.
Leo Blackburn, Chicago, Ill.
Robert T. Peay, Chicago, Ill.
M. Moore, Buffalo, N. Y.
William Glasco, Binghamton, N. Y.
Robert Givens, New Orleans, La.
Bettina Wild, Pasadena, Calif.
Jean Hayes, Los Angeles, Calif.
Ira M. Solomon, Los Angeles, Calif.
Maurice Green, Los Angeles, Calif.
Lou King, Los Angeles, Calif.
Patterson Langthson, Los Angeles, Calif.
Jessie Johnson, Los Angeles, Calif.
LeRoy Bib'le, Seattle, Wash.
Arnold the Grett Rocketdyne Engineer, Los Angeles, Calif.
Mrs. Arthur Jones, Lawnside, N. J.
Mrs. Lula Bishop, McKeesport, Pa.
Mrs. Charlotte B. Chavis, Liberty Borough, Pa.
Dozia N. Frazier Jr., Pittsburgh Pa.
L. Shirley, Brooklyn, N. Y.

Total Amount for Week	$287.50
Previous Total	192.00
Grand Total	479.50

DOLLARS FOR DIGNITY- SIT-IN Fund

Dollars for Dignity

The Pittsburgh Courier

'Sit-In' Fund Nears $3,000

Pittsburgh Pa

The Courier's Dollars-for-Dignity Fund Drive is approaching the $3,000 mark.

With the donation of $848.75 last week from readers, the actual total in the fund drive to aid students who become victimized as a result of the peaceful sit-in demonstrations of students throughout the South in behalf of first-class citizenship for all Americans, rose to $2,832.01 .

Among the more notable donations this week was $31 sent to The Courier's Dollars-for-Dignity drive by inmates of the state prison at Stillwater, Minn.

Sat. 4-23-60

THIS WEEK'S largest single contribution, $170, was received from Douglas Junior High School in Chester, Pa. It is also the largest single donation to date.

$1.70

Persons who wish to contribute to The Courier's Dollars-for-Dignity Fund may send donations to: Dollars-for-Dignity Fund, c/o The Courier, 2628 Centre Ave., Pittsburgh 19, Pa.

The following contains the names of those who have contributed for the current week in the amount of $848.75. Previous contributions have already been listed. Contributions received later than April 15 will appear in future issues:

Semper Fidelis Club, McKeesport, Pa., $25; John Sadberry, $5, and Stanley Sadberry, $1, Bryan, Tex.; Kenneth V. Davis, Monongahela, Pa., Felix E. Ross, Chicago, $2; Alvaron Davis, Los Angeles, Patricia and Priscilla Stephens, Tallahassee, Fla., Claude Stevens, Chicago, $1; Albert Burton, Chicago, Arthur G. Bragg, Los Angeles, Robert McDowell, Thermal, Calif., Ruth I. Williams, Philadelphia, $5; Mr. and Mrs. Ike Forbes Jr., New York City, $8; Dr. B. K. Stuart, Fort Wayne, Ind., Mr. and Mrs. Sanford J. Williams Jr., Chicago, Willie Shields, New Orleans, William Wynn Jr., Los Angeles, $10; Madge Williams, $3; English 9-1 Class, Delray Beach, Fla., $25; Employes of Allen & Sons, Inkster, Mich., $20; C. D. Fisher, Indianapolis, Ind., $13.80.

Stillwater, Minn.: Harold Young, Benjamin Burton, Robert Thomas, Theron Carr, $7; Friends in Gary, Ind.: Clarence E. Anderson, Mr. and Mrs. Sherman Ford, John Green, Joe Noel, Sherman Adams, Jim Madison, George Dodd, Chick Rogers, Isaac Ford, Ligting Reid and Howard L. Harris, $7.20.

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NEW ORLEANS:

A. M. Trudeau, $10; John Martin, $5; Mrs. Louise Blandin, $2; Louis A. Cottrell, Dave Roberts, Robert Chamois, Vernon Lyons, Mrs. Nelva Slie, Mrs. Leah Carter, Mrs. Elizabeth Ridgley, Mrs. Elenora Roth, Mrs. Martha Garnier, Mrs. Analse Braud, Mrs. Martha G. Mitchell, $1.

Maudelle B. Bousfield, Chicago, and Mr. and Mrs. William W. Purcell, Portland, Ore., $5; Mr. and Mrs. W. C. Smith, Saint Anne, Il., $2; Ernestine London, Verda, La., $3; David J. Keene, Pittsburgh, Herman Gibson, Detroit, James McFarland, Los Angeles, Jesse Smith, Houston, Tex., Mrs. I. Wilcox and Family, Philadelphia, $1.

Sgt. William H. Carney Post 46, Pittsburgh, $20; Rev. and Mrs. Joel C. Carson, Gadsden, Ala., Earline M. and Gus B. Browning, Yakima, Wash., and Mrs. G. Booth, Los Angeles, $5; Eula Davis, Chicago, $10; Sylvester Taylor, Norman Fowler and Samuel C. Page, Bellefonte, Pa., $1; Mrs. Josephine Harris, St. Louis, Mo., $1.

Curtis W. Hunter, El Paso, Tex. George and Alice B. Harding, Lansing, Mich., and Standnish A. Acey, Detroit, $10; A Friend, Fort Bliss, Tex., Miss Iralee Noble, Philadelphia 43, William S. Howell and Pittsburgh Scholarship Guild, Pittsburgh, $5; Walter Freeman, Buffalo, N. Y., $3; Houston Anthony and W. A. Grant, Macon, Ga., $2; A Friend, Lexington, Ky., Mrs. Marian Carter, Philadelphia, $1; Employes of Philco Corp., G&I Div., Philadelphia, $5.

Virgil J. Clay, Houston, Tex., and Mr. and Mrs. Albert B. Fulton, Pittsburgh, $25; J. E. Hurt, M. D., St. Louis, Henry Booth House Staff, Chicago, $10; Charlei L. Hogue, Rock Hill, S. C., Second Christian Church, Mayfield, Ky., Mr. and Mrs. W. B. Lacey, Billings, Mont., Mrs. Wendell H. Scott, Los Angeles, Lincoln Hilburn, Los Angeles, H. L. Grammer Jr., Chicago, $5; Benjamin B. Campbell Sr., Yeadon, Pa., $4.75; Dewey Ables Jr., Hamilton, Ohio, $3; W. A. Moore, Los Angeles Mr. and Mrs. Bossie McLendon, Pleasantville, N. J., Shirley J. Green, Inkster Mich., John Barr, St. Louis, Sidney Phillips, Vernandes Johnson, John Burney, James S. Howard, Roy McMoore, Chicago, $2; Bob R. Johnson, Detroit, Mrs. Sallie Carter, Los Angeles, D. Jones, San Antonio, Tex., Mrs. M. Sitgraves, Jamaica, L. I., N. Y., A Friend, Kenner, Ohio, $1.

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CHICAGO ($1):

Kenneth Davis, E. J. McKinney, O. Williams, B. R. Hamilton, C. R. Hill, C. Collins, R. Berry, Edgar P. Shaw, E. B. Stewart, George Lawson, A. Smith, Roosevelt A. Otis, Charles Montgomery, C. Thompson, William Newman, E. A. Barnett, Jerome L. Roberts, Eugene R. Miller, Albert A. Harper, James B. Gibson, Eddie Freeman, Frank Mason, Freddie Hall, Frank Willis, R. Akers, Gilbert Hawkins, Willie Witt, N. W. Sampson, Jesse McLendon, Terry O. Robinson, Rev. Charles Harper, Osie Bennett, Robert M. Echols, Cozine Jefferies, J. Wallan, Frank Horton, Harry Powell, Leon Brooks, Herbert Almo, Thomas Jackson, Cleveland Walker, Charles Banks, J. Hardy Jr., W. Kicksa, O. Robertson, L. E. Blount, John Lindsey and Joe Hall. Also a "Group of Employes," $23.

Douglas Junior High School, Chester, Pa., $170; The Friends, Philadelphia, $25; Inmates, State Prison, Sillwater, Minn., $31; Mt. Zion Baptist Church, Dover, N. J., $20; St. James AME Church, Cynthiana, Ky., $16; Frances Duers, New York City, and Grace Harvey, La Grange, Ga., $5; James R. Hadley Sr. and Jr., Chicago, $4; Dennis Stavis, Philadelphia, and Garfield Jones, Detroit, $3; Jesse Pittman, Mount Vernon, N. Y., Charles Phillips, Washington, D. C., J. L. Greene, Dayton, Ohio, $2; Ben Johnson, Cassopolis, Mich., Andrew T. Games, Chicago, C. Griffin, Detroit, Sam Oliver, San Francisco, and Bill Johnson, Cleveland, Ohio, $1. Eugene Phelps, Los Angles, $2.



MAILBOX TO DIGNITY—Check of $1,500 for NAACP assistance to Southern sit-in demonstrators is mailed to the association's executive secretary, Roy Wilkins, by Presiding Bishop George W. Baber, right, of the First Episcopal District, Philadelphia. At left is the Rev. George W. P. Collier Jr., member of the executive committee of the New Jersey NAACP Church Work Committee. Money was raised by the New York, New Jersey and New England AME Conferences.



NORTHERN MONEY FOR SOUTHERN STUDENTS. — A $1,200 check for southern sit-in students is presented to N.A.A.C.P. Executive Secretary Roy Wilkins, center, in New York by officers of the Jamaica N.A.A.C.P. branch. At left is the Rev Robert Ross Johnson. Attorney William Booth is at the right. The money was raised at a recent rally in the St. Albans Terrace ballroom.

Raise $2,200 Here To Aid Sit-Down Students

Over $2,200 has been raised through the efforts of the Chicago Branch, National Association for the Advancement of Colorec People Church Committee to support student sit-in demonstrations in the South.

A check was turned over to the NAACP legal defense fund this week, by the Chicago Branch ot the organization, and more money has been pledged, Rev. Carl A Fuqua, executive secretary disclosed.

Most of these contributions come as a result of the "Call to Prayer" initiated by the Church Committee under the co-chairmanship of Reverends S. S. Morris and Owen D. Pelt.

The contributions will provide bail bonds and trial expenses for arrested student leaders throughout the South, Rev. Fuqua said. He stated that special "sit-in" contributions are being forwarded to New York for use of the students by the fund which Thurgood Marshall heads.

Leading Chicago church contributing through the NAACP is Grant Memorial AME Church, 4017 Drexel Blvd. Rev. Harvey Walden, pastor, has turned over $536 raised in his congregation for student aid, Rev. Fuqua said.

Other churches and social and civic groups are still pledging help and making contributions, he added.

Ike Urges Leaders In The South To Attempt Solving "Racial Unrest Problems"

Atlanta Daily World — Atlanta Ga — Thurs. 3-17-60 — p. 1

Sees Some Protest Actions As Expression Of Proper Conviction

By MERRIMAN SMITH
(UPI White House Reporter)

WASHINGTON (UPI)—President Eisenhower urged Wednesday that conferences of white and Negro leaders be called "in every Southern community" to try to solve problems of racial unrest.

Commenting on widespread Negro demonstrations in the South against lunch counter segregation, Eisenhower said some of the protest actions were "unquestionably a proper expression of a conviction," while others probably were not.

He said that marches in the streets and other kinds of peaceful assemblies, as long as they are orderly, are "constitutional, and have been recognized in our country as proper since we have been founded."

But he carefully refrained from passing specific judgment on the propriety of Negro "sit-in" demonstrations.

As to whether he believes lunch counter segregation violates Negro constitutional rights, the President gave no direct answer. He said he was not a lawyer and not certain, but it was his understanding that "when an establishment ... belongs to the public, opened under public charter and so on, that equal rights are involved ..."

The President discussed racial unrest at a news confeernce which was otherwise dominated by comments on politics and foreign affairs.

He made it clear beyond doubt that Vice President Richard M. Nixon is his personal choice to be the next president of the United States.

In the field of international relations, the President said:

—There is no agreement between him and Soviet Premier Nikita S. Khrushchev to avoid-as a reporter put it - "rocking the boat" in advance of the May summit meeting.

—In asking Congress for authority to change U. S. sugar import quotas. he is not seeking to punish the people of Cuba for Premier Fidel Castro's anti-American campaign. He merely wants to make sure that if Cuba fails to live up to its quota he has the right to ask some other nation to fill it.

On his recent trip to South America, he found Latin American leaders "concerned" about Castro's activities and heard no criticism of this country's handling of deteriorating relations with Cuba.

—This country's proposal for step-by-step disarmament under tight international controls is "better" than Russia's four-year total disarmament program.

Atlanta Daily World — Thurs. 3-17-60 — p. 4

'Ike' Suggests Biracial Talks In Dixie Cities

Memphis Tenn. — Appeal

President Says Peaceful Protests By Negroes Are Lawful

NOT FEDERAL PROBLEM

Deplores Violence Used To Further Rights Or To Prevent Them—Makes No Judgment Of 'Sit-Ins'

By MERRIMAN SMITH
United Press International

WASHINGTON, March 16. — President Eisenhower urged Wednesday that conferences of white and Negro leaders be called "in every Southern community" to try to solve problems of racial unrest.

Commenting on widespread Negro demonstrations in the South against lunch counter segregation, Eisenhower said some of the protest actions were "unquestionably a proper expression of a conviction," while others probably were not.

He said that marches in the streets and other kinds of peaceful assemblies, as long as they are orderly, are "constitutional, and have been recognized in our country as proper since we have been founded."

No Direct Answer

But he carefully refrained from passing specific julgment on the propriety of Negro "sit-in" demonstrations.

As to whether he believes lunch counter segregation violates Negro constitutional rights, the President gave no direct answer.

He said he was not a lawyer and not certain, but it was his understanding that "when an establishment . . . belongs to the public, opened under public charter and so on, that equal rights are involved . . ."

The President discussed racial unrest at his news conference.

Eisenhower came close to bristling on the subject of racial problems in the South, where mass jailings have grown out of widespread demonstrations of Negroes demanding that they be allowed at white-only lunch counters.

A reporter asked whether Eisenhower couldn't call Southern leaders to a White House conference to try to work out some constructive program.

Conferences Urged

"Do you know what I think?" he replied crisply. "I think there ought to be biracial conferences in every city and every community of the South, which would be much better than trying to get up here and direct every single thing from Washington.

"Now let me make one thing clear," the Chief Executive said. "I am deeply sympathetic with the efforts of any group to enjoy the rights, the rights of equality that they are guaranteed by the Constitution. I do not believe that violence in any form furthers that aspiration, and I deplore any violence that is exercised to prevent them—in having and enjoying those rights."

President's Message

Pro-American — Baltimore, Md. — Sat. 3-19-60 — p. 4

President Eisenhower, who made it his business to be down in Augusta, Ga., playing golf when 26,000 youth marchers for integration invaded Washington last week, left them a message.

He sent word that he will never be satisfied until the last vestige of racial discrimination has disappeared in this country.

The message was read by White House deputy assistant, Gerald Morgan, to a delegation of two white and two colored students.

As we see it, the trouble with Mr. Eisenhower's message is that he doesn't say when this land of pleasant living shall become a reality.

He surely can't be as anxious as the youthful marchers to see an America where discrimination does not exist and where equal opportunity is available to all.

If he were, he would give his wholehearted and enthusiastic support to the Supreme Court decisions integrating public schools.

But more importantly, he would require his attorney general to prosecute vigorously those people who defy the court or continuously deny citizens the right to vote.

More Violence In Southern Race Controversy

BY THE ASSOCIATED PRESS

Outbreaks of violence in Alabama—the latest a report that white men beat a Negro family with iron pipes—have led officials of two large organizations to urge President Eisenhower to step into the race situation in that state.

Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, telegraphed the President urging action by federal agencies to protect constitutional rights of Negro citizens in Alabama.

"In action of the federal government," Wilkins said, "could result in massacre on a scale that will dishonor the United States before the world."

Walter Reuther, president of the United Auto Workers Union, wired Eisenhower asking him "to instruct the attorney general to take immediate action in your name to restore law and order in Montgomery, Ala.," scene of frequent student demonstrations and numerous arrests.

The request came during a weekend marked by the use of tear gas to break up a march of Florida A. & M. University students in Tallahassee, and rallies, prayer services and sitdown demonstrations at other places in the South.

Picketing in support of the Negro stand for intergated Southern eating facilities occurred in New Jersey, New York, Massachusetts, Michigan, Kansas and Colorado.

Wilkins originally asked for presidential action March 10. He said Sunday he was renewing the request because of a report a Negro family was attacked in their Bessemer, Ala., home by white men wielding pipes.

Robert Jones, 20, a college student, told police 9 or 10 white men broke into his house Saturday night and beat him, his mother Mattie Mae Jones, 45 and his sister Luvina, 18. The mother was hospitalized with a broken leg and finger. Jones and his sister were treated for bruises and abrasions.

George W. Barron, Bessemer police chief, said he was investigating the beating report but had made no arrests. Jones was in a group of Negroes arrested at Birmingham several weeks ago while distributing anti-segregation literature.

At Raleigh, N. C., 300 Negroes held a prayer service on the steps of the state Capitol and then marched down the city's main street. The service occurred on the eve of the trial of 43 Negro college students charged with trespassing in connection with a lunch counter demonstration.

The Rev. Martin Luther King Jr., of Atlanta, a Negro integration leader, told 3,500 persons attending Sunday service at the Princeton University chapel that some white people show more concern for their economic status than for their fellow men.

His appearance came a day after Princeton students clashed with snowballs and fists during an anti-segregationist picket demonstration outside the F. W. Woolworth Co. store in the university town. There were no arrests.

Negro rallies in four states attracted nearly 40,000 persons.

At San Antonio, Tex., 1,500 Negroes met with NAACP officials to plan possible protests. The NAACP has asked six downtown stores to desegregate lunch counters by Thursday and a spokesman said if answers are not received demonstrations will be held.

Some 1,500 Negroes attending an NAACP-sponsored meeting at Hampton, Va., were urged to use economic pressure and passive resistance in the campaign.

Leaders of a student movement against segregated lunch counters in Charlotte, N. C., asked for support from the Negro adult community during a rally attended by 700 persons. Three Negro college students at Little Rock, Ark., told an NAACP meeting they would continue their fight. They were among five students arrested in connection with a sitdown strike at a variety store.

In Tampa, Fla., the state president of the NAACP reported two pistol bullets were fired into his home early today.

The Rev. . Leon Lowry, who was uninjured, called the incident an attempt at intimidation over lunch counter demonstrations.

Ike Mum After Request For 'Protection'

Montgomery, Ala. – (ANP) – With martial law in effect, and Alabama State College on the verge of being closed down, because of persisting demonstrations against racial segregation, Negroes here appealed to Washington last week for "protection" from a "reign of terror."

The President of the United States, and the Attorney General were called upon to protect the civil rights of Negroes in Montgomery.

Declaring that Negroes are in a "reign of terror" in Montgomery, the Rev. Martin Luther King wired President Eisenhower from Atlanta asking for protection.

Said the wire in part: "A reign of terror has broken out in Montgomery, Ala. Gestapo-like methods are being used by police and city authorities to intimidate Negroes who have been pursuing peaceful and non-violent techniques to achieve their moral and constitutional rights. While students of Alabama State College were convened in an orderly protest on their campus, city officials and police launched an incredible assault, and infiltrated the college campus with police armed with rifles, shot guns, and tear gas. Yesterday they arrested more than thirty-five students, a faculty member, and a physician. Today, they had numerous trucks parked not far from the campus with the threat of arresting the entire student body.

"Police are parading in front of churches. They inhibit the holding of meetings and religious services. They have actually physically intruded themselves into these religious services. Yesterday, a bishop was conducting a church meeting when police invaded the meeting in a raid. Telephones are being tapped and telephone lines of Negro leaders are left disconnected so that they cannot make nor receive calls. This calculated and provocative conduct of the police backed by the municipal and state authorities leads inescapably to the conclusion that they are trying to incite a riot in the hope that the responsibility for the injuries and deaths that might result will be fastened on the Negroes.

"The Negro community and students cannot permit themselves to be intimidated. They will not turn away from their pursuit of justice. They must and will pursue their righteous and non-violent course. Lest bloodshed stains the streets of America we ask that the American people through you be made aware of the brutal and flagrant violation of constitutional rights."

Cong. Charles C. Diggs was informed in a telephone conversation with the Rev. Ralph Abernathy that the racial situation looks "very dark."

Acting upon this, and other information, which had reached the Congressman's Washington office Mr. Diggs called upon Attorney General William P. Rogers to make an immediate investigation.

A spokesman from the White House said the President had received Dr. King's telegram and referred it to his Legal Counsel, David Kendell, and Gerald Morgan, former Counsel, now Deputy Assistant to Mr. Eisenhower.

The arrest of 37 students for quietly sitting down at a lunch counter in Montgomery, and the teacher who resented their arrest, was considered by Cong. Diggs as an "interference with peaceful assembly." This, he said, is a violation of the Constitution and gives the Justice Department authority to act.

Neither of the Alabama Senators would comment on this situation. Both the office of Senator Lister Hill and of Sen. John Sparkman claimed that they had received no information on this crucial situation in Montgomery.

Commissioner L. B. Sullivan dismissed the accusations of King as "the rantings of a rabble-rousing agitator."

Montgomery police arrested 37 students at Alabama State College after hundreds demonstrated against expulsion of 9 of their number for spearheading anti-segregation marches and sitdown campaigns.

A white policeman and a news photographer were roughed up by a group of white men near the site of a promised large-scale demonstration which was postponed.

Sullivan proposed last Thursday the closing of the college, who, he said, "continue their conduct of the students, or have little or no influence over the actions of the students."

Sullivan issued a statement suggesting that Gov. John Patterson and the state board of education give serious consideration to a shutdown at Alabama State College in Montgomery.

He said the president and

38a 1960

GENERAL

F I N E S

$339,000 Put Up in Bonds

The Pittsburgh Courier

Sit-In Toll: 1,359 Arrests

Pittsburgh

4-16-60

By Trezzvant W. Anderson
(Courier Roving Reporter)

ATLANTA, Ga. — When April 1 rolled around marking the end of exactly three months of the student protest movement against lunch counter discrimination in Dixie, a tabulation showed, through the best available figures, that not less than 1,359 students and friends have been arrested, some $339,750 put up in bond money, at least $36,570 in fines have been levied in nine cities.

Of the 1,359 arrested, at least 84 students have gone to jail rather than pay the fines, while three have paid fines without appeal. In all other cases tried in which fines were levied, the sentences have been appealed and are in the process of going to higher courts. In some cities trials have not been called as yet, but are expected this month.

The demonstrations, as of April 1, embraced 51 cities in 10 Southern states. Only Mississippi had not had a protest.

■

SOUTH CAROLINA led the list with 448 arrests, 388 of them at Orangeburg. Texas ran second with 278 arrests, at Marshall, where Bishop College students protested. Tennessee was third with 220 arrests. Other states showed these figures: Georgia, 106; Virginia, 94; North Carolina, 89; Alabama, 62; Florida, 33; Louisiana, 24; Arkansas, 5.

The biggest demonstration was at Baton Rouge, La., where state-supported Southern University had 5,000 students in one demonstration. There university officials, on orders of the state board of education, expelled 18 student leaders, and triggered a mass boycott of classes by an estimated 3,000 students a day later.

At Montgomery, Ala., Dr. H. Councill Trenholm ordered about 100 students expelled from Alabama State College for alleged late registration. There the students had begun a boycott of classes and registration after nine student leaders were expelled and 20 put on probation. Top student leader Bernard S. Lee of Suffolk, Va., was later arrested by local police on a vagrancy charge.

The week also featured the arrest at Montgomery of an interracial group of 20 persons who entered the Regal Cafe, a Negro eating place, near the Alabama State College campus. They refused to leave when asked to do so by Charles Lewis, the manager.

In the group were three Negro students from 'Bama State who had been expelled, the Rev. S. S. Seay Sr., executive secretary of the Montgomery Improvement Association and Father Robert E. DuBose Jr., secretary of the MIA. With them were a white professor, his wife and 11 students from McMurray College, Jacksonville, Ill. All were released on bond, except the white students who stayed in jail overnight.

Another curious situation developed at Columbus, Ga., where three white soldiers were jailed on trespassing charges when they refused to leave a Negro cafe they had entered and sought service.

In looking at the figures since the protest began at Greensboro, N. C. on Feb. 1 with four A&T College freshmen, the tally of fines levied shows the following:

Orangeburg, S. C., $17,550; Tallahassee, Fla., $6,000 (eight students went to jail for 60 days rather than pay $300 fines each); Columbia, S. C., $5,000; Nashville, Tenn., $4,050 (here 76 went to jail rather than pay $50 each); Richmond, Va., $2,800; Winston-Salem, N. C., $550; Raleigh, N. C., $460; Charlotte, N. C., $100; High Point, N. C., $60 (three high school students in High Point paid fines).

IN ALL CASES except High Point, N. C., several cases in Nashville and Tallahassess, the sentences have been appealed. Those arrested in the other cities had not been tried, except one juvenile in Atlanta, as of April 1.

The arrest list by state and city is as follows—as of April 1:

Virginia, Richmond, 56; Portsmouth; 28 (three Negroes).

North Carolina: Greensboro, three (non-students): Winston-Salem, 22)10 white, 12 Negroes); Durham, two; Charlotte, three; High Point, three; Monroe, 12; Henderson, one.

South Carolina: Orangeburg, 388; Columbia, 25; Denmark, 14; Rock Hill, 25.

Tennessee: Nashville, 81; Chattanooga, 75; Memphis, 64.

Alabama: Montgomery, 51 (includes students and the mixed group); Birmingham, 10.

Georgia: Atlanta, 78; Savannah, 28.

Florida: Tallahassee, 22; Tampa, 11. (Several Negro ministers were jailed in Miami).

Texas: Marshall, 278.

Louisiana: Baton Rouge, 24.

Arkansas: Little Rock, five.

As a result of the expulsions, threats of expulsion at some state-supported schools, and the arrests, boycott movements have been started in several cities.

■

MORE THAN 2,500 Negroes attended a mass meeting called by the NAACP in Savannah, Ga., where state NAACP president Wesley W. Law called for a boycott on all stores that discriminate against Negroes, unless they happen to employ Negro salespeople. The boycott here, as in other cities, was particularly aimed at the Easter trade. Some 3,500 turned out at a similar meeting in Charlotte, N. C. where Thurgood S. Marshall spoke. The boycotts were spreading over the week-end.

In Atlanta, a two-weeks truce was called for a "cooling off" period while negotiations were going on between student groups and whites. Of all the arrested Negro students there, only one had been tried and given judgment. He was J. Edward Peguese Jr., 16, a freshman at Morehouse College.

Peguese, who comes from Birmingham, Ala., was ordered to return home by Juvenile Court Judge W. W. Woolfolk, for the rest of the year, as punishment for his part in a "sit-in" at Atlanta's Union Railway Station. Other youths were bound over for trial to criminal court and allowed to return to school under bond.

Atty. Donald L. Hollowell, representing young Peguese, called the decision exceptionally harsh, inasmuch as the youth is being deprived of the chance to continue his education for the rest of the school term. He appealed that sentence this week to Superior Court.

In Savannah, Ga., NAACP leader Law attacked the bi-racial committee set up by Mayor Mingledorff, on grounds the mayor had ignored several persons suggested by the NAACP for appointment to the group. In Atlanta, Ga Mayor William B. Hartsfield urged students to stage no more "sit-ins" while things were being studied. Picketing of Rich's store was called off there last week after one day.

In Alabama, liberal white Montgomery publisher Aubrey W. Williams joined a group of Negro Alabama leaders in asking President Eisenhower to take a stand on the issue. Negro signers included: Rev. Ralph Abernathy and E. D. Nixon, Montgomery; Rev. Fred L. Shuttlesworth, Birmingham; John L. LeFlore, Mobile, and Dr. Charles G. Gomillon, Tuskegee Institute..

Where will the protests break out next? Who knows.

Total Fines Near $20,000 In Southland

The Pittsburgh Courier

(Courier Press Service)

Students and sympathizers across the nation continued picketing against segregation despite the fact that fines rose to $19,350 and the arrest total soared to 1,381.

Through Saturday evening these figures, compiled by the Courier, represented the price in fines and arrests the gallant youth of America paid in their quest for first-class citizenship.

Despite these figures, the toll is destined to rise even further as students have made it apparent that they are prepared to "go to jail" to gain the benefits denied them for so long.

King Looks To Georgia For Cafe Push

NEW YORK (AP)—The Negro sitdown protest at Southern lunch counters "may well be the beginning of a full-scale assault on segregation," the Rev. Martin Luther King said Monday.

The integrationist said fully organized sitdown campaigns soon will be launched in Georgia, Alabama and Louisiana.

King said in an interview with Newsweek magazine that the campaign "gives people an opportunity to act, to express themselves, to become involved on the local level with the struggle."

The Negro minister, leader of the Montgomery, Ala., bus boycott in 1956, said, "It might be the answer to how we can meet delaying tactics that come through litigation."

He said, "These sitdowns reveal that the Negro has never accepted token integration—that we seek integration on all levels of our society."

The 31-year-old Baptist pastor of an Atlanta church said the sitdown demonstrations "are definitely following the same philosophy and techniques as the Montgomery bus boycott." He said the aim of the campaign "is to create better relations with your opponent rather than to defeat him and humiliate him."

Meanwhile, in Atlanta extradition papers for return of King to Alabama to face perjury charges arrived in Gov. Vandiver's offices and an aide said the governor will issue a "rendition warrant" for Kings' arrest Tuesday. He cannot make bond under this warrant.

King Predicts Sitdown Move For Alabama

NEW YORK (AP)—The Negro sitdown demonstrations at Southern lunch counters "may well be the beginning of a full scale assault on segregation," the Rev Martin Luther King Jr., said Monday.

The Negro integration leader said fully organized sitdown campaigns will soon be launched in Georgia, Alabama and Louisiana.

"I don't know about Mississippi," he said.

The movement, in support of Negro demands for equal service with white persons at variety store lunch counters, began in North Carolina recently and soon spread to Virginia, Florida and Tennessee. Thirty four Negro university students were arrested at a Richmond, Va., store Monday.

King said in an interview with the magazine Newsweek that the campaign "gives people an opportunity to act, to express themsleves, to become involved on the local level with the struggle."

He said "these sitdowns reveal that the Negro has never accepted token integration—that we seek integration on all levels of our society."

The 31-year-old Baptist pastor of an Atlanta, Ga., church said the sitdown demonstrations "are definitely following the same philosophy and techniques as the Montgomery bus boycott."

Warns U.S. Must Solve Race Issue

PITTSBURGH — (UPI)—The Rev. Martin Luther King, one of the nation's leading integrationists, told 10,000 people attending the Freedom Jubilee Sunday that the United States must work for a unified country rather than "sit and wait for the inevitable."

King, of Atlanta, said America must solve the segregation problem if it is to survive.

He promised that the battle against segregation in the South would not cease "until all God's children are entitled to walk the streets in dignity and honor."

Awards were presented to distinguished figures in several fields.

Those receiving awards were: Government, Gov. David L. Lawrence of Pennsylvania and Pittsburgh Judge Homer S. Brown; journalism, William Block, publisher of the Pittsburgh Post-Gazette and Sun-Telegraph, and Mrs. Robert L. Vann, publisher of the Pittsburgh Courier; sports, Branch Rickey Sr. and Jackie Robinson; Labor, David J. McDonald, United Steelworkers Union president.

Human rights field, Mrs. Daisy Lampkin, Pittsburgh Courier, and the late Dr. Joseph Randall, a local NAACP leader; religion and education, Dr. C. K. Steele, Tallahassee, Fla., and the Rev. W. H. Gray jr., Philadelphia.

Adam Says U.S. Not Christian

BUFFALO, N. Y. — (UPI) — Rep. Adam Clayton Powell, jr. (D- N. Y.) said Sunday night the Negroes have not achieved a position of power in the U. S. because this country is "no longer a Christian nation."

Addressing the 55th annual conference of the National Sunday School and Baptist Training Union Congress, Powell said also that western society has a downward trend "because of a lack of leadership."

The New York Congressman, whose distrist includes Harlem, asserted that the U. S. is "leaderless, Christless and Godless."

He told an audience of more than 3,000 persons gathered in Memorial auditorium that president Eisenhower "lacks the courage to stand up for the colored minority . . . ."

He maintained this attitude on the President's part marks the "beginning of the rejection of the U. S. by neutralist nations because of the neutralist attitude toward segregation in our own nation."

In connection with the forthcoming elections, Powell declared "we don't have much of anybody running for President this year."

Today in National Affairs

New York Herald-Tribune
New York, Ny.
Mon. 8-15-60 p. 13

Outcome of Integration In Lunchrooms Weighed

By David Lawrence

WASHINGTON, Aug. 14. — What will happen now that Attorney General Rogers has obtained a voluntary agreement among executives of many chain stores to abandon segregation at the lunch counters in the South? Will Negroes tend toward a token participation and refrain for the most part? Or will white folks gradually abandon the same lunch rooms as Negroes move in? Or will mean that stores or lunch rooms not connected with chains will compete more effectively now by catering to white customers only?



Lawrence

Persons close to the Administration predict that for all practical purposes there will be little change—that voluntary separation will be practiced as in the case of the restrooms in railroad stations when the signs were ordered taken down or in the buses when Negroes took rear seats even after segregation was legally banned.

The new status in the chain stores of the South has been accomplished not by legal coercion but by voluntary action on the part of the managements of private business establishments. The initiative was taken on June 1 by the Department of Justice, which says it invited the business executives "to discuss informally appropriate means whereby Southern communities would voluntarily work out desegregation of lunch counters and working facilities." The department's announcement, just issued, declares:

"It was agreed that the most effective method of accomplishing this objective would be to approach the problem community by community with the assistance of interested local groups and merchants.

World Standing Suffers

"Noting that local ordinances requiring racial segregation in certain establishments raised serious constitutional questions, the Attorney General emphasized that progress in this area was necessary in the national interest and because the standing of the United States as a leader of the free world suffers as a result of acts of racial discrimination."

It is not clear just what is meant by "serious constitutional questions," as it has been widely assumed that a private business may select its own customers. It could mean that the attainment of desegregation objectives at lunch counters faced a long, uphill battle in the courts and that for reasons of the importance of considering various factors in the light of local customs and their effect on the income of businesses.

The Department of Justice didn't make public the names of all the stores in the sixty-nine communities which have agreed to integrate their lunch counters, the reason for this being that in 70 per cent of the sixty-nine communities there had been no agitation heretofore and it was deemed desirable "not to stir things up." Out of the chain stores represented at the meeting the Department's announcement mentioned only three—F. W. Woolworth Co., S. H. Kress & Co., W. T. Grant Co.—and referred to the rest as "other major variety stores."

One important point was not revealed in the Department's announcement — whether the government has tried or is going to try by "voluntary" means to persuade the various groups of agitating organizations to discontinue their "integration" pressures exerted through demonstrations inside stores and private business establishments. expediency it was considered wiser to try to achieve integration by voluntary means. Certainly the wide use of the racial-discrimination issue by the Communists has given the government here an incentive to solve the problem or at least to try to diminish its significance. The Attorney General now says:

"It is heartening to know that private initiative and co-operation have been instrumental in assuring equal treatment of all citizens in so many communities in such a comparatively brief time."

Coercion or Reason?

One wonders if the key to the voluntary settlements that have been made lies in the fact that legal coercion has not been applied and that the force of reason has been substituted. Did lunch-counter demonstrations and "sit-ins" really accomplish the settlement in the Southern communities where the new arrangement is going into effect, or was it the potential effects of boycotts in Northern branches of the same chain store establishments?

The legal position of the boycott itself could, of course, still become an issue. Organizations which advised their members to boycott chain stores whose Southern branches practiced segregation of lunch counters could be sued for damages by the stores. It is actionable to conspire to do anything to hurt any specific business or individual in the carrying on of his business. While boycotts by trade unions are legal, this is a special sanction of law and does not apply to other forms of boycott. It will be interesting to see if the arm of the law is applied now to whites who may wish to boycott chain stores in the South which permit integration at lunch counters.

Local Customs Cited

The Department of Justice's policy in abandoning to some extent the realm of coercive law for the loftier realm of "voluntary" action where lunch-counter controversies arise is significant in that it points to

ROCKEFELLER HITS 'RACISTS' IN U. OF C. TALK

Inequality, U. S. Ideals Called Incompatible

Americans who tolerate racial segregation break faith with the nation's founding fathers, Gov. Nelson A. Rockefeller of New York said Sunday at dedicatory ceremonies for the University of Chicago's new law center.

"We did not found this nation upon any manner of racist concept but upon a basic belief in the individual—his worth, his dignity, his freedom," the governor said.

"We know that all men are not equal in the sense of being alike. The individuality of each is the very mark of each free and different nature and development. But all men are equal as children of God and brothers to one another. And it is this recognition of man's very nature, this equality conferring upon all the right of equal opportunity, that our law is dedicated to serve."

'Equality Beyond Law'

Rockefeller said Americans must be aware that, deeply as they believe in equality before the law, there is a kind of equality beyond the law—fully as meaningful and critical.

"This touches upon areas of opportunity, health, and human relationships largely untouched by explicit statute," he said. "The moral issue, ultimately, is a matter of individual motive and intent."

Upon his arrival at Midway airport in his private plane, Rockefeller dodged questions about his Presidential ambitions.

Asked if he would accept a draft to become the Republican Presidential candidate, Gov. Rockefeller said, "The possibility is so remote it is not worth speculating about."

He refused to say whom he expects the Republican candidate to be.

Notes Law Day

From the airport, Rockefeller and his party, including his daughter, Mrs. Ann Pierson, 620 Barton pl., Evanston, were driven to the home of Chancellor Lawrence Kimpton of the university for luncheon.

John D. Randall of Cedar Rapids, Ia., president of the American Bar association, told his audience at the dedication that the bar rededicates itself to the ideal of the rule of law in the affairs of men.

Randall said the American legal profession hopes that the nation-wide observance of law day Sunday "will focus the thoughtful attention of our people on one central fact: that the idea of the rule of law among men and among nations represents the highest hope for the future of mankind."

Confer Honorary Degrees

The honorary degree of doctor of laws was presented to seven persons by Chancellor Kimpton.

The recipients were Charles E. Clark, judge of the United States Court of Appeals for the 2d circuit; Herbert F. Goodrich, judge of the United States Court of Appeals for the 3d circuit; Walter V. Schaeffer, associate justice of the Illinois Supreme court; Roger J. Traynor, associate justice of the California Supreme court; Dag Hammarskjold, secretary-general of the United Nations; Viscount Kilmuir of Creich, lord high chancellor of Great Britain; and Earl Warren, chief justice of the United States Supreme court.

Rockefeller Greets Chicago



Nelson Rockefeller waving from ramp of plane which carried him to Chicago Sunday. (TRIBUNE Photo)

Racial Bars Deplored by Rockefeller

No Area of Nation Blameless, He Says In Chicago Speech

CHICAGO, May 1 (AP) Gov. Nelson A. Rockefeller of New York declared today that Americans who tolerated racial segregation laws had broken faith with the founding fathers and deserved disrespect.

"We did not found this Nation upon any manner of racist concept but upon a basic belief in the individual—his worth, his dignity, his freedom," Rockefeller said.

The New York Republican dealt with the subject of racial segregation in a speech at a convocation of the University of Chicago Law School.

Rockefeller said that, besides equality before the law, there was "a kind of equality beyond the law."

"This touches upon areas of opportunity, health, human relationships largely untouched by explicit statute. The moral issue, ultimately, is a matter of individual motive and intent," he said.

Rockefeller did not criticize any particular area of the country. He said, "there is no part of this Nation entitled to say to any other part of this nation: We have achieved perfection in respecting the dignity and equality of all men of all races."

He asserted:

"If, as individuals and as a people, we tolerate false divisions of man against man whether by 'gentlemen's agreement' or by laws enforcing racial segregation; if we tolerate pretensions of superiority by any people, including ourselves; if we tolerate arbitrary barriers against progress by any people, in our own Nation or in the world—we shall have broken faith with our fathers, and we shall deserve the disrespect we shall invite."

In his own State, Rockefeller suffered a reversal against legislation he sponsored to curb discrimination in private housing. The Republican-controlled Legislature killed the bill this year.

Rockefeller said in a television program taped for broadcast today in New York State that the failure of the anti-discrimination bill was "a sad thing." But he predicted the bill would be passed next year.

But, he said, in his Chicago speech, "We must realize, first of all, that the great issues of justice and equality cannot be fought only in the chambers of the Legislature. They must be fought—and won—in the hearts of men. The law is properly a servant of conscience, not a substitute for it."

Rockefeller Pushes Wider Rights Drive

By WARREN WEAVER Jr.
Special to The New York Times.

BUFFALO, June 17—Governor Rockefeller proposed tonight that the Federal Government dramatically expand its offensive against racial discrimination in employment, housing, the public schools and government itself.

The Governor outlined before a Negro Baptist conference what amounted to the steps he would take to insure racial equality if he should receive the Republican nomination for President and win the election.

Although he praised civil-rights progress during the Eisenhower Administration, his call for a much more vigorous approach left the clear impression that Governor Rockefeller thought the President had not been sufficiently militant in this area.

The Governor's program included the following proposals:

¶The President should prohibit at once by Executive Order discrimination in all Federally subsidized housing, with the same principle to be applied more gradually to all Federally insured housing.

¶The National Labor Relations Board should be empowered to refuse to certify upon complaint a union that had discriminatory membership policies.

¶The Federal Government should provide money and technical advice to states and localities having difficulty in desegregating their public schools.

¶The Attorney General, in addition to aggrieved citizens, should be empowered to go to court to force school desegregation in Southern states now evading such action.

¶Congress should enact a permanent ban on racial discrimination in all work done under Government contract, license or certificate.

¶The Federal Government should clean its own house by making sure that there was equal opportunity for employment in every agency and equal access to every Government facility.

The Rockefeller program appeared to be a clear challenge to Vice President Nixon to go beyond the civil-rights record of the Eisenhower Administration and pledge further action before the Republican National Convention chooses its candidate in Chicago next month.

Ten days ago Governor Rockefeller challenged the Vice President to state his views on national issues before the convention so that delegates could make a more intelligent choice of a candidate.

Mr. Nixon replied then that he had already discussed many issues and offered to be interviewed by the Governor on television on his views. Governor Rockefeller, who has declined to be an active candidate but who has said he would accept a draft, rejected this offer.

Criticizes Democrats

For a politician who rarely mentions the opposition party by name, the Governor was more outspoken than usual tonight in his criticism of the Democratic national record on civil rights.

He called the division of opin-

Rockefeller Proposes Racial Equality Plan

Birmingham World, Birmingham, Ala.
Wed. 6/22/60 3 & 6 General

Major Speech Made Before Negro Baptist Convention

BUFFALO, N.Y. (UPI)—Gov. Nelson A. Rockefeller Friday night proposed a sweeping program for across-the-board racial equality.

Rockefeller chose as the forum for his deseggregation program the National Sunday School and Baptist Training Union Congress of the National Baptist Convention U. S. A., Inc.

The National Baptist Convention U. S. A., Inc., is a Negro church.

WANTS GUARANTEES

Rockefeller told his fellow Baptists the federal government should guarantee the following for every American:

—The right to vote.

— Equal job opportunities.

—Equal educational opportunities.

—The right to live where he pleases.

—Equal opportunities for government employment and use of government facilities.

Rockefeller credited the Eisenhower administration with having made more progress toward "insuring justice and equality for all Americans" than has been made in any decade since the Civil war, and added:

"This progress has come to the nation with little if any help from a Democratic Party deeply divided against itself. This division ... is a tragedy, a national tragedy precisely as it serves to undermine, to embarrass, to delay full realization of the promise implicit in this nation's dedication to the principle that supreme worth lies in the individual human being."

Rockefeller also had words of criticism for his fellow Republican. Some Democrats, he said, are trying to lead their party "to the path of progress," while "the Republican record cannot claim perfection either in the nation or in my own state."

WANTS LEGISLATION ENFORCED

In presenting his racial equality program, Rockefeller called for the actions including the following:

—The Justice Department should enforce existing legislation by asking courts to act against states in which any minority is deprived of the right to vote.

—The federal government should call inter-group conferences to take the initiative in promoting lo- open channels of communication, ease tensions and encourage cooperative solutions of community problems.

—The Justice Department should obtain court injunctions against persons defying federal court desegregation orders.

—Congress should authorize the attorney general to initiate school desegregation suits to encourage integration in "hard core" states.

—Congress should authorize the department of Health Education and Welfare to provide technical and financial aid to states and cities that run into difficulties in school desegregation efforts.

— The Civil Rights Commission should launch a full-scale review of state fair employment practice laws to develop a cooperative federal-state program.

ion on civil rights among Democrats "a national tragedy" that "almost constantly forces the Democratic leaders to stifle the voices of their own consciences—to evade and sidestep the serious issues of civil rights."

"As a result," he declared, "even the most concerned of these leaders tend to settle for a policy of talk much and do precious little."

However, Governor Rockefeller maintained that failure to win full equality for all races was not "entirely a partisan issue." He said some Democrats were sincerely working for progress and noted that the Republican majority in a State Senate committee had blocked his own housing discrimination bill last March.

"The failure to win enactment of this legislation was a source of deep disappointment to me," he declared. "I shall continue to press for passage of this measure and am confident that it will win approval in due time."

The Republican legislative leader primarily responsible for blocking the state civil rights bill was Senator Walter J. Mahoney of Buffalo. Only three nights ago at a Republican dinner in New York, the Governor praised Mr. Mahoney as his chanchest ally and firmest supporter.

Today, the Governor flatly rejected any theory that national civil rights problems should be solved with heavy reliance on moral suasion and education rather than on enforcement of the law.

He said it was essential that the nation's leaders take "firm and dedicated use of the tools of law" in dealing with civil rights problems.

Governor Rockefeller urged the Justice Department to "utilize vigorously" its present power to obtain injunctions against persons interfering with Federal court orders requiring the desegregation of schools.

The Attorney General should not be authorized to start school desegregation suits on his own authority except in situations where "private litigation cannot be effective," the Governor said.

He also urged exploration of a voluntary Federal-state program designed to encourage fair employment legislation on the state level.

As an example of Federal Government facilities that still reflect segregation policies, Governor Rockefeller said that some Southern post offices still maintained segregated washrooms.

WHO SPEAKS FOR THE SOUTH (TV)
EDWARD R. MURROW

Murrow Takes Candid TV Look To See Who Speaks for South

The Atlanta Constitution P. 19

By PAUL JONES

A crowd gathered around the Eugene Talmadge statue on the State Capitol lawn. Edward R. Murrow was supervising scenes for the CBS - Reports production, "Who Speaks for the South."



Jones

A middle-aged woman pushed her way through the crowd and asked Murrow if he would autograph a slip of paper she had in her hand. Murrow smiled, took a pen from his pocket and scribbled his name. To the woman it looked almost illegible.

"You write like a second grader," she said. "What kind of penmanship is this?"

Murrow, a member of Phi Beta Kappa, didn't hesitate. "Sorry. Next time I'm in town I'll try the third grade."

Since Murrow has established his reputation as a reporter not by what he writes, but rather by what he has to say and the manner in which he says it his penmanship has been of very little importance.

"Who Speaks for the South," which is being presented on CBS-TV and Channel 5 at 10 p.m. tonight, will be a multi-faceted study of the desegregation problem in the South and particularly in Atlanta, since most of the program was filmed here. And it probably will have more depth than any of the many TV essays on this subject yet presented.

Tu. 5-27-60

Murrow is one of the top men in television and radio journalism and, as he said during his visit to Georgia, he came here to ask questions—not to answer them.

Atlanta,

So far we have heard considerable comment on TV mainly from people remotely removed from this area but Murrow's searching inquiry into the situation should be provocative if, indeed, it does not provide an answer to the title question, "Who Speaks for the South."

* * *

MURROW ATTAINED a position of distinction many years ago as the chief of the CBS news bureau in Europe. His stories from Britain, which started with the familiar signature, "This Is London," were characterized by fresh comments, astute observations and a desire to keep the American public informed on events in World War II.

He has pioneered a new type of journalism, the television essays such as See It Now which have measured up to the highest standards of news reporting. We are sorry we can't say as much for his interview program, Person to Person, however.

IN ATTEMPTING TO FIND the answer to "Who Speaks for the South," Murrow looked in on the state's School Study Commission which held hearings in various parts of Georgia, under the chairmanship of a fair and witty banker, John Sibley. Murrow's cameramen visited two of these, one in Atlanta and another in Moultrie. The exchanges between Sibley and the speakers frequently are sparked by humor, something which might surprise those who think the people in Georgia have taken an altogether grim attitude toward the situation.

Voices of anger are heard, too. Voices of people who would prefer to keep the schools open at all cost and others who would prefer to shut them down in preference to submitting to integration are heard.

Gov. Vandiver and Mayor Hartsfield express themselves.

Ralph McGill, editor of The Constitution, chats with Murrow about the program, which is very vital to our community.

A forest of light stands, huge cables which looked like fire hose and 1,600 pounds of camera equipment were moved into McGill's office during the filming of this part of the program and many Constitution newsmen observed Murrow and McGill at work.



Mayor Hartsfield

Murrow's unhurried method of going about the job of getting a story was so uncharacteristic of electronic journalism that it occurred to us that TV needs more newsmen like Murrow.

We are not saying that "Who Speaks for the South" is going to be a world-beater because, as Murrow must have found, no single person speaks for the South. But Murrow's essay ought to provide the nation with a well-rounded view of all of those who speak for the South.

This has not been done before.

STUDENTS AT RALEIGH, N.C. PARLEY
CRITICIZE N A A C P

NEGROES CRITICIZE N.A.A.C.P. TACTICS

Students at Raleigh Parley Dislike Slow Approach in Segregation Fight

By CLAUDE SITTON

Special to The New York Times.

RALEIGH, N. C., April 16—Evidence of a conflict over tactics in the civil rights struggle emerged here today at a conference of Southern Negro student leaders.

The National Association for the Advancement of Colored People was criticized in the closed sessions as being too conservative. One student attacked Crisis, an N.A.A.C.P. publication, as the magazine of the "black bourgeois club."

Reports from the three-day meeting indicated substantial support for increasing militancy in fighting segregation. The students were said to feel that the legal approach of the N.A.A.C.P. was too slow.

Ella J. Baker, executive director of the Southern Christian Leadership Conference, the chief sponsoring organization, was asked if this were true. "I wouldn't be surprised," she replied.

New Methods Studied

Miss Baker contended that Southern whites had been "using every legal gimmick for slowdowns." As a result, she said, many Negroes feel that new methods must be developed to supplement the old.

She expressed the view that Negro organizations were entering a new era in which they would be concerned "with dealing with things strategically" and often in secret.

The meeting here on the Shaw University campus ends tomorrow. It was called to draft a blueprint for the future of the sitdown demonstrations at segregated lunch counters, which have swept across the South since Feb. 1. More than 100 Negro student leaders from ten Southern states and a handful of white students, mostly from the North, are taking part.

The group met in discussion sessions last night and again today. Then it divided into workshops to deal with particular aspects of the movement.

King Speaks at Rally

The students attended a mass rally tonight in the municipal auditorium to hear an address by the Rev. Martin Luther King Jr. The Atlanta minister, who led the Montgomery, Ala., bus boycott, heads the Southern Christian Leadership Conference. He is considered the foremost Negro advocate of passive resistance.

Dr. King urged the students to organize a national "selective buying" campaign against businesses that practiced segregation. He also called for an élite corps of volunteers who would go to jail rather than pay fines imposed for their protest activities.

Dr. King asserted that Southern Negroes shared common desires and goals with some persons abroad.

He said:

"This is an era of offensive on the part of oppressed people. All peoples deprived of dignity and freedom are on the march on every continent throughout the world.

"The student sit-in movement represents just such an offensive in the history of the Negro peoples' struggle for freedom. The students have taken the struggle for justice into their own strong hands."

Other organizations cooperating in the conference are the Congress of Racial Equality, the American Friends Service Committee, the National Student Association and the Fellowship of Reconciliation.

Savannah Negro Punched

SAVANNAH, Ga., April 16 (UPI)—A white youth punched a Negro sitdown demonstrator and authorities hooked up fire hoses here today when racial tension flared among crowds of downtown shoppers.

Lunch-counter demonstrators took seats at all-white counters at a downtown store, the S. H. Kress & Co., and a white man struck one of the Negro youths. The white man was arrested. The Negro's jaw was fractured.

Savannah is in the grip of a buying boycott by Negroes, and many merchants have reported their business is being affected. Large crowds, both white and Negro, were on the streets in Savannah's shopping districts, but few Negroes appeared to be buying.

With the sitdown demonstration at the Kress lunch counter and the brief altercation, the police and fire department mobilized for possible further trouble. Two fire department pumpers were hooked to hydrants and fire men had hoses ready.

Pickets in Chattanooga

CHATTANOOGA, Tenn., April 16 (UPI)—Nearly a score of Negro teen-agers carrying Bibles picketed downtown variety stores today with signs urging a "no-buying" boycott.

The picketing was quiet and orderly and no crowds gathered.

White Students Awaited

NASHVILLE, Tenn., April 16 (UPI)—Negro protest leaders made plans for the arrival tomorrow of a motorcade of University of Minnesota white students going south to support anti-segregation demonstrators.

The Nashville police said special precautions would be taken to insure that no trouble was touched off by the students, who reportedly were planning special demonstrations.

About twelve Minnesota students were scheduled to arrive today.

38a 1960

GENERAL

MASS MARCHES WILL BE STAGED AT DEMOCRATIC AND REPUBLICAN PRESIDENTIAL CONVENTIONS IN SUPPORT OF A STRONG CIVIL RIGHTS PROGRAM

5,000 Negroes Will Picket Conventions in Rights Drive

The Atlanta Constitution

Atlanta Ga.

Fri. 6-10-60

NEW YORK (UPI)—Two Negro leaders Thursday announced that mass marches will be staged at the Democratic and Republican presidential conventions in support of a strong civil rights platform.

The Rev. Martin Luther King Jr., president of the Southern Christian Leadership Conference, and A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, said at least 5,000 pickets would be on hand outside the convention halls in Chicago and Los Angeles during all sessions of the presidential conventions.

King and Randolph said they had wired about 50 community leaders in the two convention cities requesting that they set up local organizations to direct the protests, to be held as a "March on the convention movement for freedom now."

They said they are cooperating closely with the NAACP and numerous Negro community groups.

King said "We expect all of the students who were involved in the recent Southern sitdowns to cooperate with our convention plans."

He said that after the convention plans would be announced to use non-violent techniques to register Negro voters for the November elections.

Both King and Randolph emphasized they feel no presidential candidate from either party has come out with a civil rights statement acceptable to Negroes.

They said they will not endorse a candidate and that their main concern is civil rights legislation.

Even if some candidate should make an acceptable civil rights statement, they would picket the convention anyway "to educate the public," they said.

King and Randolph said convention marches were called because Negro "demands have been met with the condescending smile of an inert government by incredible political deception and double dealing . . . both parties must be held responsible for this sellout."

3°a 1960

GENERAL REP. ADAM CLAYTON POWELL

'Stay in south, fight,' Powell tells Virginians

The Afro-American
Baltimore Md

By ERNEST SHAW
and
J. FARLEY RAGLAND
RICHMOND

Addressing an enthusiastic audience here at the Mosque, Rep. Adam Clayton Powell extended an apology for a statement made years before.

He said that in his book, "Marching Blacks," he urged colored southerners to leave the south for life in the north. On the Mosque stage, he said he had made a mistake.

"I would like," he said, "for you to stay in the south and fight your battle."

MR. POWELL spoke at a meeting sponsored by the Richmond NAACP to celebrate the sixth anniversary of the Supreme Court school decision and to culminate the branch membership drive.

Mr. Powell reminded the audience that in New York in 1930, he was picketing to get better jobs and full citizenship.

Deploring the "tyranny of mediocrity" in this country, Mr. Powell said that in America we will have second - class nationhood as long as we have second - class citizens.

He commended the student sitdowners and said their successes are not merely steps towards integration of races but also toward the saving of the country.

Also on the program were: Dr J. Rupert Picott, the Rev. Benjamin Robinson and the Virginia Union University Choir.

Rockefeller Proposes Racial Equality Plan

Atlanta Daily World Atlanta, Ga.

Major Speech Made Before Negro Baptist Convention

Sat. 6-18-60

BUFFALO, N.Y. (UPI)—Gov. Nelson A. Rockefeller Friday night proposed a sweeping program for across-the-board racial equality.

Rockefeller chose as the forum for his deseggregation program the National Sunday School and Baptist Training Union Congress of the National Baptist Convention U. S. A., Inc.

The National Baptist Convention U. S. A., Inc., is a Negro church.

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"This progress has come to the nation with little if any help from a Democratic Party deeply divided against itself. This division .... is a tragedy, a national tragedy precisely as it serves to undermine, to embarrass, to delay full realization of the promise implicit in this nation's dedication to the principle that supreme worth lies in the individual human being."

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—The Justice Department should enforce existing legislation by asking courts to act against states in which any minority is deprived of the right to vote.

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—The Civil Rights Commission should launch a full - scale review of state fair employment practice laws to develop a cooperative federal - state program.

Race Plan Advanced By Rocky

The Miami Herald Miami, Fla.

BUFFALO, N.Y. — (AP) — Gov. Nelson A. Rockefeller Friday night proposed a sweeping program for across-the-board racial equality. 6-18-60

The New York governor, who has made himself available for a Republican presidential draft, outlined his five-point desegregation program a little more than a week after asking Vice President Richard M. Nixon to give his views on this and other subjects.

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Novelist Lillian Smith Speaks Softly Of Split Personalities in the South

The Evening Star, Washington, D.C.
Mi. 4-15-60

By BERNARD LEITER
Star Staff Writer

Novelist Lillian Smith absently stirred her coffee and thoughtfully looked out across the crowded room.

Then quickly she turned her head, smiled across the table and said:

"I like to think of myself as a writer first. Not a Southern writer; my interests are much too worldly to be just Southern."

Her voice was soft and Southern.

"But I'm always being pictured as a public figure. I'm not really. Actually I'm a very private person."

Miss Smith, author of the novels "Strange Fruit" and more recently "One Hour," insists she'd much rather sit up on her mountain top in Clayton, Ga., and write books.

Thrust Into Spotlight

Yet she concedes it is her passion for expressing her strong views on such matters as segregation that continually thrust her into the public spotlight.

And if her being in the spotlight will in any way bring about racial equality—well, she doesn't mind at all.

Miss Smith is in Washington visiting friends and will give a "little talk" next Thursday at the All Souls Unitarian Chuch. She'll probably make known her anti-segregation views again at that time.

She has expressed them in books—"Killers of the Dream" and "Now Is the Time" in particular—and in countless speeches around the country.

"I know I'm criticized by many Southerners—and I get as many nasty letters from Northerners as I do Southerners—but don't you see, it's only my love and loyalty to the South that make me speak out," she said.

Warms Up to Subject

A small woman with silver gray hair and expressive hazel eyes, Miss Smith starts gently and warms up to her subject.

"What we are experiencing in the South today—that death hold on white supremacy—is not an illness but a symptom," she said, "a symptom of our loss of individual integrity and strength, a loss of faith in the sanctity of human dignity."

Southerners who insist they believe in Christian brotherhood and democratic freedom yet support segregation actually are suffering from "split personalities," Miss Smith believes.

"They aren't honest with themselves—they can't believe in segregation and the other two at the same time."

"Sweet—and Insensitive"

She told of a number of her close friends who are "sweet, kind, generous, tender and loving" in every way, but when it comes to the matter of segregation "they are insensitive."

"They are just blind on the subject," she said. There was a tinge of emotion in her voice.

Miss Smith called the current "sit ins" the "most important thing to happen in the South in my life."

"If they continue to be handled wisely — non-violently — they will bring about very important changes in the South," she added.

This is the first time, Miss Smith said, that the young educated Negroes have participated as leaders, and "leadership is something they've needed badly."

It is her hope that the "young whites" will join with the Negroes and provide "a potent force that will lead to a new type politician in the South."

A Thing of the Past

"The demagogues must go," Miss Smith said. "Even James Peters, a Manchester banker who financed the political machines of Senators Talmadge and Russell, said recently that their political days are numbered unless they catch on to the fact that segregation is a thing of the past."

She believed that "30 per cent of the intelligent white people in the South" feel as she does about segregation. And she pointed out that one of the most potent forces against segregation today is the Southern white woman.

"More than 100,000 white women in Georgia alone are working through their churches to bring an end to segregation," she said. "There is an enormous amount of protest being made by women that you don't hear about."

She stopped abruptly, smiled almost shyly, and said:

"But lets talk about books. I'm working on a new one called "Julia," which I hope to finish this year."

Soon it was time for her to leave. She smiled again and during a long handshake asked:

"Make me a writer, won't you please?"

3Fa 1960 GENERAL SENATOR STUART SYMINGTON ✓

But Stu and Kennedy Speak Out in L.A.

The Pittsburgh Courier Pittsburgh, Pa

Lyndon Ducks 'Rights Issue'

Sat. 6-11-60

LOS ANGELES—Two of the Big Three of Democratic presidential hopefuls agreed that it was "morally wrong" for stores to refuse service to Negroes, while the third, Texas Senator Lyndon B. Johnson, evaded the hot civil rights issue during a meeting of the trio here.

Senator Stuart Symington scored racial segregation because he "doesn't believe in second-class citizenship" and thinks "the majority of Americans agree" with the Negro's fight for equality.

Senator John Kennedy said the sit-down demonstrations were "in the American tradition of peaceful protest."

38a

SENATOR JOHNSON sidestepped the sit-in issue completely by saying only that this situation was a "legal matter varying from state to to state.

Missouri's Symington also pointed out the fact that during his tour of Africa and Asia he became convinced that treatment of Negroes is "hurting the U. S. throughout the world."

The trio were here to attend a testimonial dinner for Governor Edmund (Pat) Brown and also obviously to survey the California situation and court support here prior to the big Democratic National Convention here next month.

Sitdown Controversies Ended In Eight Cities, Report Says

The News and Courier
Raleigh, N.C.
6-6-60

ATLANTA (AP) — The Southern Regional Council reported Sunday that eight cities in the South have ended sit-in controversies by desegregating lunch counters. Others have made starts toward solution of the problem.

The council, composed of white and Negro Southerners working for improved race relations, described the cities as those with citizens who are "deeply interested in the welfare and peace of the community and willing to work for a just solution to Negro aspirations."

Lunch counters, said the report prepared by Mrs. Margaret Price have been opened to Negroes in Austin, Corpus Christi, Dallas, San Atonio and Galveston, Tex.; Nashville, Tenn.; and Winston-Salem and Salisbury, N.C.

The report said that no Southern store which has opened its lunch counters to Negroes has reported a loss in business.

In several communities, the council reported, merchants "merely were waiting for someone to take the lead, but no one had bothered to check their attitudes." Dallas, San Antonio, Galveston and Salisbury were listed in this category.

It said inter-racial committees of outstanding citizens has accomplished much in Southern cities.

Predicting a continuation of the protest movement, the council said:

"The students sit-ins—only one aspect of Negro discontent—have been too widespread, and indicative of too great impatience for anyone to expect they will disappear as quickly as they began. It seems unrealistic to expect that this dramatic movement will die easily before it makes widespread new gains for Negroes in their drive for dignity."

But, Mrs. Price said, scores of Southern cities are making no effort to solve what she called the sit-in dilemma, present or potential.

"Southern white citizens," the report concluded, "will have only themselves to blame if they are faced with a new rash of time and money consuming lawsuits. They will have only themselves to blame if they permit the extremists to lead them down the path toward hate and violence and economic damage."

Lunch Counters Are Reported Integrated In Eight Cities

The News and Courier
Charleston, S.C.
6-6-60
P. 8

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President Urges South To Hold Racial Talks

The Evening Star & Washington D. C.

By J. A. O'LEARY
Star Staff Writer

President Eisenhower yesterday called on Southern cities to arrange bi-racial conferences to ease the tension resulting from Negro demonstrations against segregation.

He also reaffirmed support of his own seven-point civil rights bill, which he described as a moderate and reasonable path. But he left no doubt he will take the best bill he can get from Congress.

News 3-17-60

Opposes Action Here

Mr. Eisenhower's suggestion for interracial meetings in Southern cities came when he was asked at his press conference whether he did not feel he should call Southern leaders to a White House conference to discuss the threat of disorder in the wake of Negro demonstrations against segregated lunch counters.

Without hesitation the President declared his opposition to the idea of trying to solve every local problem from Washington.

"I am one of those people that believe there is too much interference in our private affairs and, you might say, personal lives already," he said, "And I would like to diminish rather than increase it."

"Not Lawyer Enough"

One reporter asked Mr. Eisenhower whether he believes Negroes have a guaranteed right to eat with whites at lunch counters, and if so does he think the Federal Government has some role to play in the present situation. The President replied that the question of segregation in the South has been brought to the Supreme Court for decision time and again.

"I certainly am not lawyer enough or wise enough in this area to know when a matter is such as actually to violate the constitutional rights of the Negroes," he added.

"Now my own understanding is that when an establishment belongs to the public, opened under public charter, and so on, that equal rights are involved, but I am not sure that this is the case whatsoever.

"I was talking about demonstrations of marching in the streets, or any other kind of peaceful assembly that is trying to show what the aspirations and desires of a people are. Now, those, to my mind, as long as they are in orderly fashion, are not only constitutional, they have been recognized in our country as proper since we have been founded.

"Now, the different types, different ways in which resentment or defiance could be expressed, I just couldn't possibly go into all those details."

The President drew a distinction between such incidents, which he said are a local problem, and protecting basic Constitutional rights, as Congress and the administration are trying to do in the pending voting rights provisions.

Asked to comment on the action of the House in sidetracking two of the seven points in his civil rights bill, the President said he would continue to ask for all of his program, but added:

"I want the best bill Congress will give me in this troubled field."

The two sections ruled out of order in the House would have established by statue the commission which already is seeking by executive order to prevent job discrimination on Government contracts, and would have extended financial and technical aid to communities that are trying to carry out the Supreme Court school integration decision.

When disturbances in the South were first mentioned, Mr. Eisenhower said it was difficult to give a sweeping answer because some of the demonstrations are undoubtedly a proper expression of aspirations, while others might fall in a different category.

The President said he does not believe violence in any form helps solve such problems, and added that he would deplore any violence exercised to prevent people from expressing their aspirations. He said he did not want to make any judgment on specific incidents and emphasized he thought they were matters that should be solved at the local level.

Blasted on 'Sit-In Remarks

The Pittsburgh Courier

Truman Made 'Ass Of Himself,' Top AMEZ Leader Says

Pittsburgh Pa.
Sat 4-2-60
P. 2

(Courier Press Service)

The Right Rev. Charles Ewbank Tucker, president of the Board of Bishops of the African Methodist Episcopal Zion Church, has charged that former President Harry S. Truman made "an ass of himself" in his remarks about lunch-counter segregation against Negroes.

Rev. Tucker's remarks, following Truman's statement in Louisville, Ky., saying he would throw out anyone who came into his store and tried to stop business, highlighted a week that found the former President under fire from several directions.

While Bishop Tucker was blasting Truman from his home in Louisville, Ky., United Nations Under-Secretary, on a speaking tour in Tokyo, was also expressing disappointment over the Democratic leader's statement.

■

TRUMAN, meanwhile, in answer to NAACP officials in Detroit, who asked whether he was correctly quoted, added fuel to the fire by not only repeating the statement but blasting the organization.

In a wire to Arthur L. Johnson, executive secretary of the Detroit NAACP, Truman said he was correctly quoted and added "I would do just what I said I would. If I were in Detroit I would say the same thing to you personally."

Truman also added in his wire that "the NAACP is losing friends instead of making them."

■

BISHOP TUCKER, who lives in Louisville but leads a congregation of 25,000 in Louisiana, Mississippi and Georgia, said the former president was a political opportunist "who pretended to be a champion of civil rights as a vote getting device when he ran for office against Tom Dewey and Henry Wallace in 1948."

According to Bishop Tucker, Truman's remarks were "a gratuitous insult to 15,000,000 Negro Americans."

In Bunche's comment on Truman's statement, the U. N. leader said, "I would have been happier if Mr. Truman had said, as I believe would have been the case, that the problem wouldn't have arisen because he wouldn't have had a segregated problem in his store.

"If Mr. Truman's or any other store instigates segregation policies, he could expect the Negro wouldn't be willing to suffer the indignities and exclusion in a place where otherwise his money would be welcome."

'Racial Mixing Not the Issue,' Says Truman

The Pittsburgh Courier
Pittsburgh, Pa.
Sat 3-19-60
P. B3

ATLANTA — Former President Harry S. Truman accused white Southerners, last week, of fretting about intermarriage with colored people, instead of dealing with the basic issues of civil rights.

"The Southerners always put the wrong interpretation on civil rights," declared Mr. Truman.

"Whenever one brings it up, they say: 'Do you want your daughter to marry a Negro?' It isn't a social proposition at all. It's an economic and political proposition," he declared.

The ex-President was en route to his home in Independence, Mo. from a Florida vacation.

Pausing for a brief train stop here in Atlanta, last week, former President Harry S. Truman took his usual, brisk morning walk, and told Georgia newsmen a few of his thoughts about the race problem.

For one thing, he observed that Negroes have the same rights as all other citizens of the United States.

"They have the same rights as the rest of us," the former President said. "If they don't, how can we be leaders for the rest of the world? You must remember that the white race is a minority in the world, that two-thirds of the world's population is colored."

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HE BLASTED the white South on civil rights, also. "It will be solved by goodwill and common sense," he said.

Fans Say Word 'Nigger' Used

ABC-TV officials have denied former president Harry S. Truman used the word "niggers" during a telecast Sunday on the network's "College News Conference."

The officials said Monday after playing the tape of the program several times they decided Truman said "Nigras" Missouri drawl fashion. They also denied he said Negroes "will have to grow up."

Reporters covering the show, originating in ABC's Washington station W M A L, were unable to agree on whether the former chief executive said "Nigras" or "Niggers."

Irate citizens flooded the Defender with calls shortly after the program was carried here Sunday over station WBKB.

The callers said Truman used the word explaining that Negroes will have to grow up.

Truman made only one reference to the race by name, ABC officials said, and the transcript spells it "Negroes."

They quoted from the transcript: "Negroes will have to become the citizens they may be and they won't have a bit of trouble, and there are a great many of them like that. I know plenty of them."

Both a United Press International reporter and ABC denied the use of the controversial word on the air and the network agreed to let anyone listen to the tape.

The Defender, in an earlier story of the incident, was unsuccessful in efforts to reach Truman. WBKB's news and special events director, Con O'Day, told the Defender the local station had no record of the program.

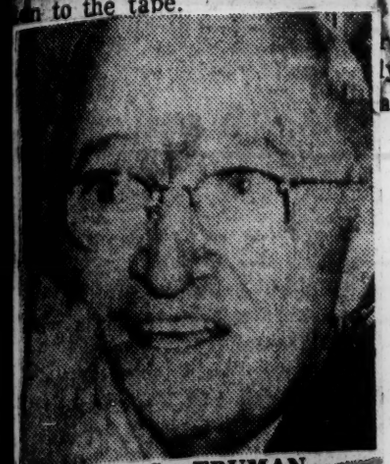
Tape Reveals What Truman Really Said

The Chicago Defender office has been flooded with telephone calls ever since the newspaper carried a story that former President Harry Truman allegedly used the word "Nigger" in a talk on ABC-TV last Sunday.

Many of the callers said they heard the remark during the broadcast while others were reluctant to accept the fact that Truman, who has been a strong defender of civil rights, would use the derogatory word, and said they could not believe it.

To set the record straight and get the facts, the Chicago Defender obtained a tape recording of the "College News Conference" show which had college students interviewing the former chief executive.

Defender officials played the recording and were immediately convinced that the objectionable term was used.



H. S. TRUMAN

Local Leaders Blast Harry's Sit-In Views

Local leaders Monday joined national Negro leaders and students in a strong denunciation of former President Harry S. Truman for his statement linking sit-in demonstrations with communists.

Speaking for the local NAACP chapter, Rev. Carl J. Fuqua, executive director, declared:

"The clouded perspective of former President Truman, is a tragic disclosure of his declining awareness and sensitivity to human problems. and responsible social action.

"Peaceful demonstrations are not synonomous with anti-Americanism, but rather give living expression to the American tradition of freedom to protest wrong.

"It is, to put it mildly, grossly unfortunate for Mr. Truman to make such unfair and irresponsible charges against young Americans and organizations which have supported their actions such as the NAACP and others.

"To Mr. Truman's remarks that the sit-ins were pushed on by a Communist program, I can safely say that they were pushed on by an intensive urgency for full freedom; that resulted from the jet propelled young minds determined to be free in areas of American life."

Mrs. Arnetta G. Wallace, first vice president of the National Council of Negro Women, declared:

"Truman is too important a person to make statements he cannot substantiate. What is happening is the result of just such blind dogmatism as his. The sit-ins by the students are the American version of youth activity which is characterizing the world.

"It is most unfortunate when a recognized leader places his reputation on the line about something he cannot validate. Unless he is more careful, he is certain to do damage to his party in the forthcoming election."

The Southern director of the U. S. National Student Association comment that Mr. Truman's statement was the inability of, or refusal by older leaders to understand and appreciate the motivation, spirit and goals of this new struggle for human dignity.

Others blasting the former chief executive included Marion Barry, jr., of Memphis, chairman of the Student Non-Violence Co-Ordinating Committee; Mrs. Ella J. Baker of Atlanta, executive director of the Southern Christian Leadership Conference headed by Dr. Martin Luther King, jr.

Mrs. Baker said Truman's statements "sounded like a broken record and reflect a stalemate in (his) thinking."

Ave Says Harry Is Misinformed

Former Gov. W. Averell Harriman said Monday he disagreed with former President Harry Truman on the question of sit-down demonstrations in the South.

Harriman, who twice was a candidate for the Democratic nomination for President, stated his views at a press conference at Roosevelt university.

He was in the city to deliver the commencement address before some 350 candidates for degrees at Roosevelt university.

Asked what he thought of the sit-down demonstrations, the former New York governor and cabinet member said:

"I am in sympathy with them as long as they are kept orderly. They are in line with the American tradition. We can't afford to take our time to end second class citizenship."

Truman was reported as saying the sit-down demonstrations are being exploited and pushed by communists.

Young Ministers Support Bias End

Atlanta Daily World

Atlanta, Ga.

Moral support for efforts to bring the end of racial segregation in the Atlanta area, came Tuesday from a group of Southern white theologians who arrived in the city to demonstrate what they termed "a new attitude among Southern clergymen."

Wed. 11-26-60

Some 15 theologians, most of them ordained ministers doing postgraduate work in the North, participated in an impromptu prayer service, and met at Ebenezer Baptist Church to pass resolutions bearing on segregation and desegregation. They were to try to see the mayor concerning the current crisis.

The ministers were in the city "to give moral support to Negroes in their fight for human rights," the Rev. Walter Wink, 25 year old Dallas Methodist, "and to bear witness" of their own views on the subject.

The Rev. John Stapleton, 28, from Spartanburg, S. C., said "We feel that we are an expression of the beginning of a new attitude among Southern clergymen. We feel the public isn't aware of it really."

This new attitude, he said, is found particularly among younger ministers.

The two ministers said they were organizers of the group which they called a "Southern Ministers Pilgrimage," of which invitations had been sent to all over the country. Many were unable to come because of other commitments, they said, but some contributed money to finance the trip.

The ministers started to attend the DeKalb court hearing of Dr. M. L. King, Jr., but changed their minds because "We didn't want to carry on any undue agitation. We're not here for that purpose."

The Rev. M. L. King, Sr., offered a prayer for them and cautioned that "I don't care if you were born in Georgia. They are not going to look on you as Georgians. You're an outsider, you see."

All the ministers were from Southern states, but were studying in the North. They were Methodists, Baptists and Presbyterians, studying at Union Theological Seminary, Yale University, Knoxville College and the University of Tennessee.

Segregation In City Courts Brings Suit

Atlanta Daily World

Atlanta Ga.

A 22-year-old junior at Morris Brown College has filed a million-dollar suit against the city, mayor and chief of municipal judges asking for an end to segregated practices in municipal courtrooms. Clarance H. Seniors filed the suit Monday with the clerk of the U.S. District Court here.

Tues. 11-26-60

Seniors, a math major and member of Atlanta Committee on Racial Equality (CORE), acted as counsel in his behalf but in a preliminary statement asked for aid from the NAACP, the American Civil Liberties Union (ACLU), and "any other organization which provides legal aid for those seeking immediate enjoyment of their rights."

Named in the suit are the City of Atlanta; Judge Luke Arnold, chief judge, General Division, Municipal Court, and Mayor William B. Hartsfield. Seniors asked the federal court for a "declaratory judgment, preliminary and permanent injunction to:

"Restrain the City of Atlanta, Ga., the judges of the Atlanta, Ga. Municipal Court and all the servants and agents of the said city from continuing the nauseating practice of desecrating the hallowed temples of justice of Atlanta by . . . . racial segregation in the aforementioned."

Seniors said that the suit seeks to "restrain the mockery of justice arising out of enforcing segregated seating by race in the court room and otherwise handling of prisoners and spectators in the court room on the basis of racial designation on the grounds that such practices are clear violations of the 14th Amendment to the U. S. Constitution."

In reference to his action without the aid of counsel, Seniors stated, "But lawyer or not, a sense of urgency requires that I — or someone else — proceed at once. The time for freedom is now."

His statment continued:

"That as the plaintiff and other Negro Americans have protested against segregated lunch counters in public and quasi-public buildings because of the objections to the moral evil of racial segregation, such practices are even more objectionable when practiced by a court of law where men are to be dealt with as men — not as white men or as black men."

Seniors said that the "mockery of justice perpetuated by racial segregation in the Municipal Court is repugnant and violative of the due process and equal protection clauses of the 14th Amendment."



EJECTED FROM CAPITOL — Dr. Ovid Futch, center, white professor at Morehouse College, Atlanta, Ga., and two of his students, William Andrews and Alton Hornsby, leave the Georgia statehouse after being ejected from the House Gallery for sitting together. Colored and white are not permitted to mix in this manner under Georgia's segregation laws.

'Dividing' rope not enough, professor, students ousted

ATLANTA, Ga.—The rope that divided the "white" section from the "colored" section was not enough.

As a result, two Morehouse College students and their white professor, Dr. Ovid Futch, were ejected last week, from the Georgia House of Representatives.

The students are William Andrews and Alton Hornsby.

DR. FUTCH, professor o history, and the students were seated in the gallery in the roped-off section reserved for colored spectators.

The doorkeeper, J. R. Smith told the trio they could no sit together as it was against Georgia law.

Dr. Futch then moved to the other side of the rope, with an empty seat between him and the students.

However, this apparently did not satisfy the doorkeeper who insisted that they still were "sitting together."

* * *

ANGRILY SMITH ordered the trio out of the gallery. His language, according to the teacher, was abusive and loud enough to be heard by House members. They cheered.

The history professor said "I suppose we should have known better than to come here, because Morehouse has a policy of not supporting segregation."

He added: "I thought as long as I had moved to the other side of the rope that was enough.

Violence Subsides; Savannah Tense

SAVANNAH (AP)—The violence has let up but tension and antagonism still prevail in Savannah's potentially explosive racial tug of war.

Police Wednesday were still refusing to serve Negroes at white trying to unravel a violent Mon- lunch counters continued in the day night clash that injured four face of tightened opposition. W. W. white and one Negro youths, one Law, local and state NAACP presi- of the former seriously. Switch- dent, said many participating blade knives, ax handles and lead pickets have been fired from their pipes were brought into play in jobs but that there seems no de- the slashing and slugging fray at sire to let up. He described Negro Forsyth Park in the area of the participation almost 100 per cent. Candler Hospital's nurses home.

Police said the violence began when Negro youths made indecent remarks to student nurses walking along the street. Negro participants entered denials. They claimed they were set upon by white youths hiding behind bushes.

Irked by sporadic night-time violence, police have decreed a get-tough policy. Chief S. B. Barnes said anyone getting out of line faces immediate arrest.

Officers took 11 teen-aged Negroes in for loitering Tuesday night. They reported that while no weapons were found, four definitely have been idnetified as participants in the Monday night brawl.

They said they are still looking for the assailant who inflicted a four-inch knife wound in the neck of 18-year-old Melvin Bryan, white. Another white youth, Jimmy Farr, also 18, required six stitches for a head wound. Less serious injuries were received by two other white boys and one Negro.

As a deterrent to further outbreaks in the hospital area, authorities Wednesday posted a shotgun-armed guard.

Opposing the boycott is an organization of some 1,700 conservative Negro businessmen. They assert that it is stirring up animosity and accomplishing no good purpose.

A leading Negro minister, the Rev. James C. McMillan, has taken a positive public stand against the lunch counter demonstrations. He had been charged by police with firing a pistol in the city after he reported that his life had been threatened. The charges were dismissed when he told City Recorder George E. Oliver he fired at a prowler.

Sponsored by the National Association for the Advancement of Colored People, a boycott of stores

OUSTER OF CAUCASIAN, COLORED RECALLED

White Children Sit In Negro Seats; Georgia Doorkeeper Moves Them

ATLANTA (AP) — Two white children trudged into the gallery of the Georgia House of Representatives to listen to speeches by Sens. Herman Talmadge and Richard Russell.

The youngsters sat down in the roped-off Negro section — the only place with vacant seats. The House doorkeeper made them move.

PRACTICE TRACED

The incident Monday, second in a week, led a Constitution reporter to check the law with House Speaker George Smith II.

Smith said he could find no state law prohibiting white and Negro spectators from sitting in the same section of the gallery, the newspaper reported in a copyrighted story.

However, the speaker said he would continue to enforce separation of whites and Negroes in the gallery under a House rule which gives him the right to clear the gallery "in case of disturbance or disorderly conduct therein."

EJECTION CASE RECALLED

On Feb. 2, House doorkeeper Robert Smith ejected Dr. Ovid Futch, a white history professor at all-Negro Morehouse College, and two of his students.

Futch and the students took seats in the roped-off Negro section. The doorkeeper ordered Futch to move and he went to a seat in the white section about two seats away from the Negroes.

The doorkeeper insisted they were sitting side-by-side in a manner he said was aggravating. He escorted them out of the Capitol and was cheered by some legislators when re returned.

Three White Soldiers Fined For Patronizing Negro Grill

COLUMBUS, Ga. (AP) — Terming their behavior "ridiculous and foolish," a city judge today sentenced three white soldiers to 30 days or $100 fine for trying to get service in a Negro grill.

The GI's pleaded guilty to a technical chrge of trespassing, brought by a Negro grill operator who refused to serve the three sholdiers from the North.

Each paid his $100 fine.

The soldiers, all stationed at Ft. Benning, are Fred Persse, 20, Penfield, N.Y.; Ralph Vanneman, 17, Quinton, N.J., and Angel L. Lougren, 24, Brooklyn, N.Y.

Judge A. J. Land told them their action "could have been the match that could set aflame a race riot."

"It was no way to solve racial problems," Land said.

The soldiers said they were unfamiliar with the South's segregation customs and laws. They denied trying to create an incident.

Persse said it was his first time in Columbus and that he wasn't looking for trouble. "Every state has its own problems and I am no one to say how they should be solved," he said.

The judge replied, "I understand how you may have ideas, but you cannot take it onto yourself to change it (the racial situation)."

Man Threatened On Golf Course, 3 Shots Fired

A Negro man reported to police Sunday that a car load of white men threatened him on a desegregated city golf course Saturday afternoon, then came back later and fired three shots into the air.

The victim, identified as Lester Gholston, of a Griffin St., N. W. address, told police that he was at the sixth hole at the Adams Park Golf Course near Willis Mill Road when the incident occurred.

Police quoted Gholston as saying he and some companions were approaching the sixth hole when a 1957 model auto loaded with four or five white men yelled at the players, saying "Negro get off our golf course."

The car went up Willis Mill Rd police quoted Gholston as saying, but then turned around, came back toward the Negro men travelling on the golf course itself.

On the second approach, the victim was quoted as saying, one of the white men yelled something at the golfing group that Gholston said he could not understand.

Then, the victim was quoted as saying, the white men fired three shots in the air, then drove away. No identification of the men was listed in the official police complaint report filed at police headquarters Monday morning.

The complaint was reportedly telephoned to police headquarters late Sunday morning by a man who identified himself as Gholston. Two homicide squad detectives were assigned to investigate the report further.

Court Seating Case Is Today

A suit to desegregate the seating in Atlanta's Municipal Courtroom is scheduled to be heard in the U.S. Court of Appeals for the 5th Circuit today.

This suit arose out the arrest of a Morris Brown College student, Clarence Seniors, a member of Atlanta CORE, when he participated in a mass sit-in demonstration in an Atlanta cafeteria on March 15 of this year. Seniors was also arrested last Wednesday when with Rev. Martin Luther King, Jr., and Lonnie King and other students he attempted to obtain service at Rich's Magnolia Room.

Seniors said the present suit sought to end what he termed "the mockery of justice in the Atlanta Municipal Courts resulting from the racially segregated seating enforced in the court."

The desegregation suit was filed in U. S. district court here April 25 after seniors said he was segregated in a Municipal Court General Division hearing room after his arrest under Georgia law for refusing to leave the cafeteria on the request of the proprietor. The suit was dismissed by District Judge Boyd Sloan on June 6 after attorneys for the defendants asserted that Seniors had failed to first seek remedy in the state courts and that City of Atlanta was not in charge of seating arrangements in its own courtroom. Judge Sloan then granted Seniors the right to appeal as a pauper after this dismissal.

Len Holt will act as Seniors council. Holt is an attorney with the law firm of Jordan, Dawley and Holt of Norfolk, Va.

Dancing to Harris Tune Becomes Quite Difficult

The Atlanta Constitution

Roy Harris's urging of his extremist followers to call up, abuse and harass those who disagree with his ideas properly has been rebuked by the governor, who has, he said, been harassed himself by the other side.

Such tactics, of course, can appeal to the basest elements. Only a person of harish, coarse instincts, or a neurotic fanatic would stoop to harassing those who hold opinions contrary to his own. This is still the United States, with freedom of speech and opinion. And there is law.

By appealing to such persons in what seems to us to be dangerously close to incitement of violence, Mr. Harris does all persons of the state, of whatever opinion, the service of allowing them to have an accurate measure of the man and his philosophy.

More and more he seems to be fancying himself a reincarnation of King Louis XIV, who said, "L'etat, c'mois" ("I am the state"). France finally wearied of his tune.

Nor, we predict, will Mr. Harris's emperor-like demand that everyone in Georgia dance wholly to his tune find any new dancers in the Harris Jamboree. The governor gently has refused. The chairman of the State Board of Education has refused. A veteran legislative leader, Herbel Lovett, has declined the dance, as have others. Almost without exception the ministerial alliances of the state have turned away from Mr. Harris's fiddle. His attacks on that great gentleman and longtime Methodist bishop, Arthur Moore, and all other ministers who won't hew to his line doubtless will continue. And they had best watch out. If they aren't careful, Mr. Harris will get even with them by not going to church. They may just possibly survive this.

Mr. Harris in his declining years has become one of the saddest and most pathetic personalities in public life. In years gone by this state has given him many honors. Now he has become what he is and has reached the stage where he will urge that those who dare differ with him be subject to telephone abuse. "Call 'em 40 times a day," he commands. We hope he will continue to reveal himself so recklessly.

Our reaction to Mr. Harris is one of sincere, deep pity. If he were not so sad and pathetic a public man, he would be amusing.

In Atlanta File Briefs In Airport Bias Suit

The Pittsburgh Courier

Pittsburgh, Pa. 1-9-60.

(Courier Press Service)

ATLANTA, Ga. — Following up the court arguments on last Dec. 8, counsel for the city of Atlanta and for H. D. Coke, Birmingham Negro insurance executive, have filed final briefs with Federal Judge Boyd Sloan in a suit asking the end of segregation in the restaurant at the Atlanta Municipal Airport.

This city asked for dismissal of the suit on the grounds that it has no control over the operation of the restaurant. They said the city's lease does not give it the right to control the restaurant's operation and no evidence was offered to show that it had attempted to do so. They also said there are no Federal, state or city laws requiring segregation.

Mr. Coke's counsel argued that through its lease the city does control the policies of the restaurant at the airport.

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THEY FURTHER charged that the city and the restaurant's operators are "financial partners," explaining that of the $523,599.30 income the city derives from the airport, excluding landing fees, some $200,403.52 comes from the restaurant company.

Mr. Coke was asked to seat himself behind a screen when going into the restaurant to eat when passing through Atlanta on a flight to Birmingham.

A decision is expected sometime prior to Jan. 11, according to a statement from Judge Sloan on Dec. 8.

Tax Forms Stay Segregated in Georgia

The Pittsburgh Courier

(Courier Press Service)

ATLANTA, Ga — Georgia's General Assembly has gone ridiculous on us in its effort to glorify and implement the amount of race-hatred it wishes to spawn and to antagonize Negroes.

What it has done, however, has actually caused Negroes to start laughing at some of its comic opera antics.

Last week the solons killed a bill which would have ended the Atlanta practice of using colored paper for the tax returns of Negroes and white paper for the white taxpayers.

The city officials had asked that all tax returns be reported on one color of paper, white, so that it would be easily handled by the electronic machines which codify the reports. The "legislators" would not go along with this. One said it would mean the "lowering of the segregation barriers."

Then came another one which drew laughs from Negroes. The solons passed another bill requiring the Red Cross to label blood in its blood bank by race—Caucasian, Negroid, Mongoloid.

They did this, despite the plea of one representative who said: "If I'm about to die and need blood, I don't care who it comes from."

The Senate must have felt shamefaced about the blood labeling bill, after having been repeatedly told by doctors and other medcal experts that there was absolutely no difference between white and Negro blood.

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THE DAY after House passage the Senate moved to reconsider the bill in committee, thus killing it.

There was, however, no let-up in the low cultural level shown in the Assembly, as the solons continue to use profane and almost vulgar language when orat-

Court Order Desegregates Atlanta Airport Restaurant

The Montgomery Advertiser, Montgomery, Ala.

ATLANTA, Ga. (AP) — Negroes scored another breakthrough in Atlanta's color barrier Wednesday when U.S. Dist. Judge Boyd Sloan ordered desegregation of the Atlanta Airport restaurant.

In the past 12 months, federal courts have forced integration of Atlanta's transit system.

H. D. Coke, a Birmingham, Ala., insurance executive, initiated the suit which precipitated Sloan's ruling. Coke sought an injunction against the restaurant's practice of screening Negroes from white patrons.

Coke's suit named the city of Atlanta and Dobbs Houses, Inc., lessee of the airport restaurant.

City officials challenged being named in the suit. They contended that they had never given Dobbs Houses any instructions about segregation.

Sloan conceded this, but said the decisive question was "whether action of Dobbs Houses may be fairly said to be conduct of the city of Atlanta and thus state action."

"The conduct of Dobbs Houses, Inc., is as much state action as would be similar conduct of the city of Atlanta itself and the discrimination practiced by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis is violative of the plaintiff's rights as a Negro citizen under the equal protection provision of the 14th Amendment," Sloan's ruling said.

Airport Race Bars Voided At Atlanta

The Washington Post, Washington, D.C.

ATLANTA, Jan. 6 (UPI) Federal Judge Boyd Sloan ruled today that segregated restaurant facilities at Atlanta's Municipal Airport are unconstitutional and issued an injunction in favor of Negro plaintiffs.

In a 10-page ruling, Sloan said: "The discrimination practice by Dobbs Houses, Inc., in refusing to serve Negroes except upon a segregated basis is violative of plaintiff's rights as Negro citizen under the equal protection provision of the Fourteenth Amendment. Plaintiff is entitled to the injunctive relief as prayed."

The suit seeking desegregation of the facilities at the huge airport terminal was brought by Birmingham Negro insurance executive H. D. Coke against the City of Atlanta, Mayor William B. Hartsfield and the Dobbs House management.

Coke said in his suit he was denied permission to sit in the regular dining room and was offered a "table for Negroes" at the rear of the restaurant behind a screen on Aug. 4, 1958.

Coke sought an injunction restraining the defendant from making any distinction based upon color in regard to services at the Atlanta airport terminal or the restaurant there.

The defendants contended that the space in the airport terminal occupied by Dobbs House was leased to the restaurant and that the lease did not give the city the right to control its operation.

U. S. COURT MANDATE ORDERS END TO SEGREGATION AT THE ATLANTA AIRPORT RESTAURANT

Judge Sloan Rules Case Represents Class Action

By JOHN BRITTON

The fourth federal court mandate within one year that will apparently serve to further corrode the hard core of segregation in Atlanta was issued Wednesday when U.S. District Court Judge Boyd Sloan ordered an end to discriminatory practices at the Atlanta Municipal Airport Terminal and the "restaurant located therein."

The decision by Judge Sloan actually struck at the Dobb House, Inc. restaurant, located in the main terminal building at the Atlanta airport. That corporation was one of five defendants named in a desegregation suit filed early last year by a Birmingham, Alabama insurance executive.

In his decision, Judge Sloan agreed with plaintiffs attorney that the suit was a "proper case for a class action." This meant, as plaintiffs contended and defendants denied, that the whole class represented by the plaintiff would enjoy the relief provided for by the injunction.

Judge Sloan said the plaintiff was entitled to the injunctive relief that he sought. The plaintiff H. D. Coke, of Birmingham, had sought an injunction restraining the defendants from making any distinction based upon color in regard to services at the Atlanta airport terminal "or the restaurant therein."

The defendants named in the suit were The City of Atlanta, Mayor William B. Hartsfield, Jack Gray, airport terminal manager, Dobbs House, Inc. restaurant located in the airport terminal, and B. F. Buttery, manager of the defendant restaurant at the time the civil action was sparked.

The main bone of contention voiced by defense attorneys was that the action should have been dismissed against the city of Atlanta, because, they argued, the city had no control over the actions of the restaurant.

"MERELY PRIVATE?"

They claimed that the acts of Dobbs House, Inc. were not the acts of the city, but "merely the private conduct of Dobbs House, Inc., a private corporation."

But Judge Sloan dissented, saying, "under the facts in this case the court holds that the conduct of Dobbs House, Inc., is as much a state action as would be similar conduct of the City of Atlanta itself....."

Going further, the judge said that the discrimination practiced by Dobbs House, Inc. in refusing to serve Negroes except on a segregated basis is violative of plaintiffs rights as Negro citizen under the equal protection provision of the 14th Amendment to the U. S. Constitution.

In the civil action, C cekoomttS In the civil action. Coke complained that he entered the Dobbs House, Inc., airport restaurant in August of 1959 with his party for the purpose of securing a meal under the authority of an airline meal authorization ticket.

Coke said he was about to be seated at a table near the center of the restaurant when hostess approached and told him there was a table behind a screen where "your people are served."

Coke said the hostess then directed him to a single corner table segregated behind a screen "for the purpose of serving Negroes" and refused to serve him on the same basis as white passengers.

Coke said that at the time of the incident complained of he was delayed in Atlanta by a late-arriving plane that was to take him to an insurance convention in Columbus, Ohio.

BOUND BY COURT

Judge Sloan prefaced his decision by saying that "this court is bound by the decision of the U. S. Supreme Court and the decisions of the U. S. Court of Appeals for the Fifth Circuit.

He added that "when a provision of the Constitution or a law has been construed or declared by either the Supreme Court of the United States or the U. S. Court of Appeals for this circuit, this court is not thereafter free to construe or declare such provision of the Constitution or law differently even though this Court should believe it should be differently construed or declared, but is bound by the decisions of such courts.

The latest federal court order was the fourth such desegregation decision to be handed down by the tribunal here since January of 1959.

In comparatively rapid-fire succession, the U. S. District Court here has spelled out death for "legal" racial segregation in the University System of Georgia, seating segregation on Atlanta trolleys and busses, racial discrimination in public schools of Atlanta, and now the airport and airport restaurant decision.

The airport issue brings to a close the civil actions now final action pending in federal court here in connection with the desegregation of school and transportation facilities.

City control issue in Ga. airport case

ATLANTA — The outcome of a suit by a Birmingham insurance executive for desegregation of the Atlanta airport restaurant may hinge upon the amount of control exercised over the facility by the city, observers said this week.

H. D. Coke, head of a Birmingham insurance firm, filed suit in U.S. District Court alleging that he was discriminated against in August of 1958 when he sought a meal at the Dobbs House Restaurant.

He had been given a meal ticket by Delta Airlines, he said, and when he attempted to sit at a table he was ordered by a hostess to go to a table behind a screen in another part of the dining room.

A nine - page brief submitted by his lawyers asks for an injunction against the Dobbs Houses, Inc., restraining them from operating the airport restaurant on a racially segregated basis.

* * *

JUDGE BOYD SLOAN heard oral arguments in the case on Dec. 8, and had ordered briefs filed by Monday.

In their brief Mr. Coke's lawyers contend that the airport is operated on a lessor-lessee relationship with the city, and that as a "financial partner," the city has power to exercise substantial control so as to guarantee the convenience of the traveling public.

According to the brief the city received an income of $200,403.52 from the Dobbs House last year. The restaurant is described as a "governmentally - owned facility which provides services essential to the normal functioning of the City of Atlanta.

* * *

THE BRIEF concludes that the "law is well settled that racial classifications may not be practiced upon state or municipally - owned property; and that if such property has been leased from the government, the lease relationship does not free the "private" management from blame.

Lawyers for the city argue, however, that the city had no voice in setting Dobbs Houses Inc., policies and the restaurant was required only to submit a list of articles for sale and their prices to the airport manager.

They further contend that the Dobbs House is a private corporation and "may limit patronage as it sees fit."

(OCTOBER)

ATLANTA- LUNCH COUNTER

REV. MARTIN LUTHER KING

FOUR MONTHS TRAFFIC SENTENCE

Minister Given Four Months

Appeal Hearing Today Following King Conviction

Atlanta Daily World
Atlanta, Ga.
Wed. 10-26-60

By JOHN BRITTON

A DeKalb County Judge Tuesday ordered non-violence advocate Dr. Martin Luther King, Jr., to serve four months in a public works camp for allegedly violating the terms of a probationary traffic sentence meted to the minister last month.

Civil-Criminal Court Judge J. Oscar Mitchell ruled, in effect, that King's participation and arrest during lunch counter demonstrations in Atlanta last Wednesday were in violation of a DeKalb County-imposed probationary sentence.

King's defense attorney, Donald L. Hollowell, said following the trial Tuesday that he would appeal the judge's decision, and the first step on that appeal's route is scheduled for today.

At 10 a. m. this morning, King's attorney is scheduled to appear before the same judge to air a Bill of Exceptions to Judge Mitchell's ruling that sent King to a public works camp for four months.

Meanwhile, NAACP Executive Director Roy Wilkins, who came by plane to the city especially for the King hearing, said late Tuesday afternoon that his organization stood ready to "do anything possible to support him (King)."

Wilkins said his visit for the trial was to "personally bring to Dr. King the assurances of the NAACP." Wilkins arrived here from New York Tuesday morning, and was scheduled to have departed Tuesday evening.

"SHOCKING KING DECISION"

Wilkins said that the decision against the Rev. King by the DeKalb County court was "a shocking decision to me, and I am sure it will come as a shock to many colored and white people of the nation."

Speaking before a press conference at the regional NAACP office, on Hunter St., N. W., Tuesday afternoon, Wilkins said that Dr. King was a "symbol" to the Negro citizens of this country.

In passing sentence on Dr. King Tuesday, Judge Mitchell said the desegregation leader was not entitled to a bond pending a hearing on the Bill of Exceptions today.

At least three times during the trial, Attorney Hollowell asked that the "show cause" order against King be dismissed because, he said, the sentence involved in the original traffic case was excessive.

Dr King was convicted for failure to possess a Georgia driver's license before Judge Mitchell September 23. He was fined $25 and, records show, given a 12-month suspended sentence on condition that he not again violate any state or federal law, or a municipal ordinance.

Judge Mitchell ruled Tuesday that King's participation and arrest during the lunch counter anti-segregation demonstrations in Atlanta last week constituted a violation of the probationary sentence.

Hollowell argued to the contrary, saying that the $25 fine on the traffic charge was not excessive, but that the 12-month suspended sentence was twice as much as the statutory limit prescribed for such a charge.

A "NULLITY"

Consequently, Hollowell argued since the original penalty was excessive, the sentence was a "nullity," and it was impossible to violate the probationary terms of a void sentence.

On the contrary, Prosecuting Sol. Jack Smith contended that the whole sentence was not nullified by the excessive term meted but admitted that the excessive six-month penalty added to the statutory limit was probably void.

Judge Mitchell, in ruling upon the matter following a two-hour long hearing apparently based his decision on the arguments presented by Sol. Smith.

Going further, Hollowell attacked the constitutionality of the law under which Dr. King was arrested as he sought lunch service in the Magnolia Tea Room at Rich's, Inc., department store in Atlanta.

Adding still more argument to his defense, Attorney Hollowell produced and offered into evidence certified copies of letters written by record clerks at the Atlanta Police Headquarters and the Fulton Criminal Court.

The clerk at the police department was quoted in the letter as saying he had searched police records and could find no criminal case pending against King at the time of his probe.

The clerk of Fulton County Criminal Court wrote a letter stating that he had searched the court records and could find no criminal case pending against Dr. King.

NO CASES

Hollowell entered the letters into evidence over the objections of Sol. Smith, saying that the correspondence tended to show that King had not violated his probation because no criminal cases were pending against him presently.

Hollowell consistently hammered away at his contention that the probated sentence against King was a "nullity," since he said, the sentence itself was excessive because it was double the statutory limit set to cover such traffic offenses as King was accused of.

Hollowell further introduced store officials from Rich's, Inc., who testified as to the events that led up to King's arrest in their store last Wednesday afternoon.

Cecil Semple, vice president in charge of operations at Rich's, testified that neither he, nor anybody under his authority and supervision, had sworn out any charges against King as a result of the lunch counter demonstrations.

CASE "PREMATURE"

Hollowell jumped on that testimony and charged that the attempt to revoke King's probation was "premature" because there, he said, are no criminal charges pending against the young minister.

Rev. King himself took the witness stand and swore that he did not know at any time prior to his incarceration at Fulton County Jail that he was under a suspended sentence in connection with the DeKalb County traffic violation case he had pleaded guilty to on September 23.

Dr. King said he knew that he was fined $25 and that he had paid that amount, but he contended that he never heard the judge or anyone else suggest that he was set under a suspended sentence to go along with the fine.

Later during the trial proceedings, Hollowell produced the chief probation officer at the DeKalb courts who testified that he had never talked with King and that none of King's records had been seen in his office.

NO "REMORSE"

During final arguments immediately preceding sentencing, Sol. Smith was critical of King because he didn't come to the hearing "apologetically, and with an attitude of penitence and remorse."

Smith said King came to the hearing attempting to justify what he thinks is the law and how it ought to be, rather than what it was."

Dr. King's character was put into issue, and presidents of several Atlanta colleges and leading Negro business and fraternal leaders were unanimous in voicing an opinion that the defendant's character was "very good."

After rendering his decision, and denying bond to King, Judge Mitchell told defense counsel that future moves on their part would have to be done quickly because he was leaving on a "fishing trip" Friday.

King was placed in the DeKalb jail pending his transfer to a public works camp to be designated by the State Department of Corrections.

At his press conference Tuesday afternoon, Wilkins said he was not allowed to speak to King following the trial Tuesday morning.

Wilkins said, however, that he intended to send King a book for reading while in jail. Wilkins said the book would be George Orwell's sardonic fictional noved entitled, "1984."

WILLIAMS IN CUSTODY

During the trial proceedings, Atlanta Branch NAACP president, the Rev. Samuel W. Williams, was taken into custody by sheriff's deputies when he refused to move back farther in the courtroom.

Williams was kept behind bars for a short time, but he was later freed after Judge Mitchell ordered his release.

The difficulty arose, Rev. Williams said, when a white man who reportedly never identified himself as an officer, asked the local N. A. A. C. president to move farther back in the courtroom.

Williams said he thought the man to be just another spectator and "I ignored him." Later the man took Williams into custody and jailed him for a short period.

At the time of his arrest, Williams was standing at the front of a pressing throng estimated to be about 250 persons in the small courtroom.

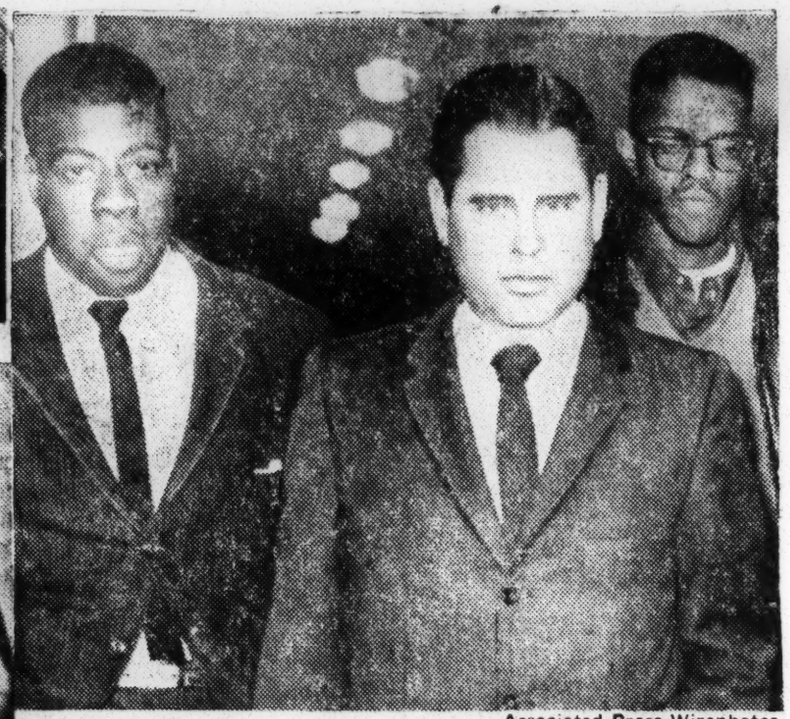
He was standing immediately beside Mr. Wilkins when the arrest occurred, but the NAACP official said later that he never knew what the commotion was about.



PROFESSOR, STUDENTS WERE IN SECTION RESERVED FOR NEGROES . .



. . . WHEN DOORKEEPER J. R. SMITH TOLD TEACHER TO MOVE . . .



Associated Press Wirephotos

. . . AND WAS ORDERED OUT OF HOUSE

L-R: William Andrews, Ovid Futch, Alton Hornsby





. . . PROFESSOR MOVED TO WHITE SECTION BUT REMAINED IN SAME ROW AS NEGROES . . .

The Atlanta Constitution
Wed. 2-3-60 P 1 D
Atlanta, Ga.

House Ousts 2 Negroes, Professor

Two Negro students and their white professor were ordered out of the House gallery Tuesday by the doorkeeper, who accused them of flouting segregated seating rules.

The professor, Ovid Futch, and students, William Andrews and Alton Hornsby, were sitting in separate sections at the time they were evicted.

But doorkeeper J. R. Smith of Nahunta insisted they were still sitting side-by-side to be "aggravating."

The incident arose when Futch, professor of history at Morehouse College, and his two students sat together in a roped-off section reserved for Negroes.

The doorkeeper told Futch he would have to move.

The professor moved to the other side of the rope into the white section—but remained on the same row with his students. A vacant seat separated them.

Wed 2-3-60

But Smith later insisted they were sitting together.

He returned to the trio and ordered them out in language heard on the floor below. Futch described it as "abusive."

After the eviction, the House cheered Smith.

Outside the capitol, Futch declared:

"I suppose we should have known better than to come because Morehouse has a policy of not supporting segregation.

"He came up and asked me to move. I thought as long as I had moved to the other side of the rope, that's what he meant. He didn't let me explain."

Dr. King Asks Love, Passive Resistance in Sermon

Love, and a passionate passive resistance, must one day transform the segregated South into a more harmonious existence, Dr. Martin Luther King Jr. told his Atlanta congregation Sunday.

The 31-year-old minister who led Montgomery, Alabama's non-violent movement to integrate the city's buses, gave his initial sermon as co-pastor of the Ebenezer Baptist Church. As such he joined his father, Martin King Sr., in a 2½-hour service before a standing-room-only crowd of about 1,200.

At a meeting after the regular service the church members stood up unanimously in favor of the younger King's work in the area of civil rights.

And in introducing his son to the congregation, which was sprinkled with about a dozen white people, the elder King left no doubt that the co-pastorship made his son no less a voice in the church than he was.

In the introduction, Rev. King Sr. asked his congregation to "Stand up tall as Christians and love those who hate us." He later told the congregation "You know how happy I am to have my child with me" and there was a loud answering shout of "Thank you Jesus!"

In his sermon, "The Three Dimensions of Life," Dr. King Jr. said that it was the Christians who lacked life's second dimension of breadth who were responsible for the segregated south. "They are more concerned about their preferred econocim position, their social status, their political power, and their so-called 'way of life' than they are with true Christianity," he said.

In the sermon, Dr. King developed the theme that length concerned a person's development of proper self-love; breadth concerned his development of love of humanity, and height consisted of his development of an active faith in God.

It was the good Samaritan, "a member of another race," who was recorded in history as the man who helped his neighbor, Dr. King said. "The two men who passed the injured man by on that sinuous, dangerous road from Jericho to Jerusalem, were more concerned with the length question of 'What will happen to me if I stop to help him' than with the breadth question, 'What will become of him if I don't stop'."

Finally, the minister said, a man must place his faith in the "Eternal God whose purpose does not change" if he is to be a complete man.

"Even those who have personal fulfillment and a love for humanity are living life on a horizontal plane . . . without a sky if they do not have faith in an unchanging God," he said.

"All life is interrelated," Dr. King said. "We are all caught in its inescapable net of mutuality."

He spoke of a trip to India recently where he and his wife saw the millions of Calcutta and Bombay going to bed on the sidewalks at night in hunger.

"Even nations must rise above length and contemplate breadth of life," he said. "I can never be what I want to be when my fellow man is not what he wants to be. When millions go to bed hungry somewhere, I cannot be happy in my wealth. Like John Donne we are all involved in the humanity of man and every man's death diminishes every one of us."

Before beginning his sermon Dr. King said that he did not consider himself a rabble rouser or an agitator. He said he was glad to return to the church where he was ordained in 1948 and considered it his minister's duty to preach a "social gospel" advocating a simple human dignity and freedom.

There's No Law Segregating Gallery, Sheepish House Told

Redfaced members of the Georgia House admitted Monday they have been enforcing a non-existent state law when they barred with some commotion and once with abusive language—white and Negro spectators from sitting in the same section in the House gallery.

At the same time a hasty check of law books by legal aides to the speaker of the House disclosed there is no state law against either integrated public meetings or integrated eating places in Georgia.

"Well, we used to have such a law," declared Speaker George Smith II, a prominent Swainsboro

By CELESTINE SIBLEY

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lawyer, grinning sheepishly. "Ellis Arnall must have taken it out of the Constitution when he was governor."

(The state Constitution was rewritten during the Arnall administration.)

Later Speaker Smith rallied and invoked another law: "The old, old law of Georgia custom."

He said he will continue to enforce separation of whites and Negroes in the gallery under House Rule 13, which gives the speaker the right to clear the gallery "in case of disturbance or disorderly conduct therein."

"I think it would be right to rule it a disturbance if it violates our sacred custom," Smith said.

The search for the House rule or state law against mixed seating was precipitated when a reporter questioned the House doorkeeper, J. Robert Smith of Nahunta, about removal of two small white children who sought to sit in the section roped off for Negroes during the speeches of U.S. Senators Talmadge and Russell Monday.

Robert J. Smith, 32-year-old lawyer, who plans to run for the Legislature next September, is the doorkeeper who received nationwide publicity last week when he ejected a white Morehouse College professor from the gallery for sitting near—not with—two of his Negro students.

"You know as well as I do I have to enforce the rules of the House," the doorkeeper said.

Asked to cite the rule he was enforcing, the doorkeeper said he did not know the number. Speaker George Smith, questioned, said there was no rule but the House operates under state law. He then launched the fruitless search for the law.

Doorkeeper Smith, applauded by members of the House when he ordered Professor Ovid Futch from the gallery with abusive language last week, Monday made two trips to the roped-off Negro section to ask small white children to move. All seats for whites were filled but the Negro section was almost empty.

King Blamed, But He Did Not Start The Sit-Ins

ATLANTA — (UPI) — "A discontented man finds no easy chair," reads a sign in front of the church where the Rev. Martin Luther King jr., is assistant pastor.

King, the leader of the 1955 Montgomery bus boycott, is not only a discontented man, but one of the most controversial figures in the current southern racial upheaval.

The young clergyman gets blamed for a lot that's going on —currently the wave of lunch counter sitdowns through which Negroes are combatting segregated eating facilities.

"I had nothing to do with this phase," King says. "It started with four students in Greensboro, N. C., on the basis of their convictions. And the idea just caught fire. It's something you can't explain rationally."

CUSTOMS ATTACKED

Unlike the battle by Negroes to break segregation barriers in schools, the lunch counter revolution has been an attack on custom rather than law. The new racial pressures have produced new tensions.

There have been more than 500 arrests in six states and a number of convictions, but only on charges of disorderly conduct. Georgia has a quickly-enacted new law allowing a proprietor to order anyone off private premises.

In Houston, Tex., a Negro was strung up by his heels and carved with the triple K of the Ku Klux Klan by a roving band of white men.

At Columbia, S. C., Negroes, armed with clubs, damaged cars at a drive-in restaurant for white patrons.

GEORGIA UNEASY

Nowhere in the South are there more uneasy chairs and more discontented men, Negro and white, right now than in Georgia, one of five states that have not yet bowed to school desegregation. Others are Louisiana, Alabama, Mississippi and South Carolina.

Sentiment is sharply divided on what to do about a school desegregation court order affecting Atlanta.

A number of organized groups and individuals in the legislature are urging a change in the state's rigid racial position.

Rep. James A. MacKay, a legislator who has introduced a measure requiring a vote by parents before a school could be closed, feels Georgia must sooner or later accept a change in position on the issue.

'CAN'T HAVE BOTH'

"We've been saying 'let's worry about it tomorrow' but tomorrow is here today," MacKay said. "In Georgia, there is the striking paradox of a political leadership urging maintenance of the status quo, but at the same time urging the acceleration of industry. We can't have change and the status quo in one package."

MacKay feels that much of the racial controversy is a moral rather than a political issue.

"We live in what's called the Bible Belt, but we've isolated our Sunday talk from our week day practices," he said. "We are prone to worry about moral problems that don't affect us.

"The measure of a man's morality is his ability to project himself into the other fellow's situation. We white people have not projected ourselves into the situation of the Negroes."

Federal District Judge Frank A. Hooper, a native Georgian who handed down the Atlanta desegregation order, said he is "not utterly without hope" that Georgians will adopt a course that will preserve public schools.

King Tells Ike That Protests Will Continue

ATLANTA — (UPI) — The Rev. Martin Luther King, jr., has told President Eisenhower that segregation protests will continue in the south "as long as segregated facilities exist."

King, leader of the successful Montgomery, Ala., bus boycott and now pastor of an Atlanta church, sent a wire to the President last week in which he commended the chief executive for a statement in which he said that sitdown demonstrations were constitutional as long as they were orderly.

The minister said the President's statement "gives new hope to men seeking to move from the long night of oppression into the bright daybreak of freedom and human dignity."

"We also strongly agree with your assertion that violence on the part of the Negro will harm rather than help his aspirations. Violence in our struggle is both impractical and immoral," he added.

King said that whenever Negroes indulge in violence, "whether in an aggressive or a retaliatory sense," it would be condemned.

"But as long as segregated facilities exist, we have no alternative but to continue our righteous protest . . . We know that we cannot have self respect or with the respect of others by complacently adjusting to an evil system."

Dr. King Seeking Sit-In by Negroes At Polls in South

Gandhi Tactics Seen Leading To Mass Arrests

By Laurence Barrett

The Rev. Martin Luther King jr. said yesterday he and other Negro leaders were planning to use the non-violent, sit-in method of pressure to force Southern states to allow Negroes to vote in November.

"We definitely are going to use non-violent techniques in the area of voter registration," Dr. King told the New York Herald Tribune.

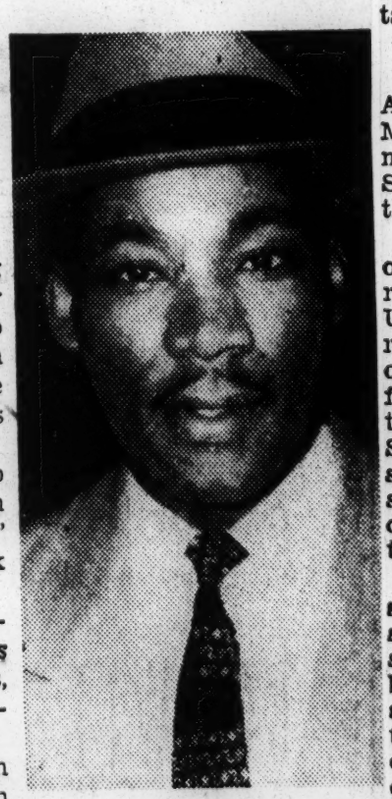
Asked whether these "techniques" would be the same as those used at lunch counters, Dr. King said, "The same principles will be involved."

He said that this was tried in Louisiana once in connection with voter registration. "Only 300 people were involved in that demonstration. We've never attempted this on a grand scale," he added.

(Apparently Dr. King was referring to a get-out-the-vote drive attempted in several Louisiana towns in 1958. More Negroes than usual sought to register, and were generally successful. However, large numbers of Negroes did not turn out.)

Dr. King made his statement by telephone from his church in Atlanta, Ga. He was called to confirm a prediction made by Bayard Rustin in an interview here earlier in the day.

Mr. Rustin is assistant to Dr. King in the latter's capacity as president of the Christian Leadership Conference. The civil-rights bill passed by Congress last month, Mr. Rustin



Herald Tribune—UPI

Rev. Martin Luther King

said, might actually deter Negroes from registering to vote because of its complexity.

"Negroes should and will go to registration places and voting places by the hundreds and the thousands," Mr. Rustin said. "Masses of Negroes inserting their bodies and refusing to move until relief is given will win the vote."

"Most Potent Means"

Dr. King said he agreed with Mr. Rustin that "non-violent resistance is the most potent means at our disposal." The minister praised Mr. Rustin, saying he was among the first American Negroes to support the use of Gandhi-like tactics in the civil-rights fight.

Since the early days of World War II, Mr. Rustin, who is a Quaker and a pacifist, has organized civil disobedience movements. During the war he campaigned against segregation in the armed forces. He spent three years in Federal prison as a conscientious objector, he said, and has been in jail for varying terms twenty-one other times. He is fifty years old.

Most of his convictions were for violation of Jim Crow laws in the South, but he said he "saw the inside of a jail briefly" in New York for refusing to take part in an air-raid alert.

"Progress in Jails"

"The greatest progress of the American Negro in the future," Mr. Rustin said, "will not be made in Congress, or in the Supreme Court. It will come in the jails."

He said this in anticipation of mass arrests once the passive resistance movement expands. Until recently, he said, his race's leadership concentrated on winning legal recognition for the principle that segregation is wrong. In 1954 the Supreme Court ruled that school segregation was unconstitutional. These and other decisions, he said, must be translated into local action.

Neither he nor Mr. King would say where they planned to stage their efforts in the voting sphere. One logical place would be Georgia, where the voting age is eighteen. Elsewhere in the Deep South the twenty-one-year requirement is in effect. By acting in Georgia, the Christian Leadership Conference and its allied organizations could make greater use of students, who have served as the line troops in the lunch-counter struggle.

The Boycott

Passive resistance is not limited to sit-ins. Among other tactics are mass demonstrations and economic pressure—the boycotting of business establishments, for instance. Both Dr. King and Mr. Rustin indicated that all of these tactics would be used continuously and on an increasing scale.

"I don't want to give you the impression," Dr. King said, "that the student movement is ending because we are talking about the voting effort. What we are doing now will continue, I hope."

Mr. Rustin was interviewed in his third-floor office at the Harlem Labor Center, 312 W. 125th St. The building houses the Committee to Defend Martin Luther King jr. and the Struggle for Freedom in the South, a single new organization formed to raise money to help which Mr. Rustin is executive director.

Ostensibly the group was arraigned on the charge where he used to live. He is out on $2,500 bail on May 16.

Income-Tax Charge

that are members of a chain raises funds for with outlets in the South. evasion indictment in Alabama, other civil-rights p

King Attacks Segregation, Delays Trial

Birmingham Post-Herald
Tues 5-17-60

BY REX THOMAS

MONTGOMERY, May 16 (AP)—Integration leader Martin Luther King Jr. confronted state's attorneys with a new attack on segregation today as they got ready to try him for perjury.

Because of that and other pretrial motions, the Negro minister's arraignment on charges of filing false state income tax returns was postponed until the preliminary issues are disposed of.

Arguments, and testimony if any is required, will start Wednesday.

State, county and city police stood ready outside the courthouse to break up a crowd if Negroes decided to demonstrate today. But nothing happened.

Sheriff's deputies on horseback were called to duty as they had been earlier during Negro anti-segregation protest marches in Montgomery.

King, through his five attorneys, protested against being put to trial in a segregated courtroom, contending it would violate his constitutional rights.

Four Protests

That was one of four legal points raised by King's five Negro lawyers in preliminary motions filed at a scheduled arraignment hearing. The trial itself, on charges of filing false state income tax returns, is set for next week.

Defense attorneys also challenged legality of Montgomery County's system of choosing prospective jurors, and complained that Negroes are systematically excluded from jury duty.

That prompted Judge Eugene Carter to disqualify himself and call for the appointment of a special judge to hear all four pre-trial motions. Carter is a member of the five-man commission which puts names into the jury box.

When state and defense attorneys failed to agree on a special judge, Circuit Clerk John Mathews appointed Montgomery Atty. James J. Carter, no relation to the regular judge. The clerk has the power of appointment when opposing lawyers are unable to agree.

Carter, who had been scheduled to preside over next week's trial, later disqualified himself from that proceeding as well as the pretrial hearings.

Demanded Records

Besides demanding an integrated courtroom and attacking the jury commission, King's attorneys asked for a court order to require the state to turn over minutes of the grand jury session at which the former Montgomery minister was indicted.

Solicitor (prosecutor) William F. Thetford said later, however, that no minutes are kept of grand jury proceedings.

The Negro lawyers previously had asked for a change of venue to move the trial to another city. They said King cannot get a fair trial in Montgomery, where he led a year-long boycott of segregated city buses.

In demanding courtroom integration, the Negro clergyman, who now lives in Atlanta, challenged a long-standing practice of seating white spectators on one side of the center aisle and Negroes on the other.

Besides raising the racial question in the selection of prospective jurors, defense lawyers contended generally that the jury commission functions contrary to Alabama law.

Special Law

In most Alabama counties, jury commissioners are appointed by the governor, but in Montgomery, under a special law, the two circuit judges, the probate judge, circuit clerk and sheriff serve as the commission.

King was indicted in February of this year on two counts of perjury, carrying a maximum penalty of five years in prison on each count. However, Thetford has said he will be tried only on one charge next week.

The state contends the Negro leader "wilfully, falsely and corruptly" reported his 1956 income as $9150 when he actually earned $16,162, and gave his income in 1958 as $25,348 when it actually totaled $45,421.

King paid the disputed tax before the indictments were returned, but the state contends he had already violated the law.

Stars to Perform For M. L. King Jr.

The Pittsburgh Courier
Sat 5-14-60

NEW YORK, N. Y. — Harry Belafonte, Sidney Poitier, Shelly Winters, Mahalia Jackson, Diahann Carroll, Ossie Davis and Ruby Dee will appear at the 369th Regiment Armory, May 17, under the sponsorship of the Cultural Division, the Committee to Defend Martin Luther King and the Struggle for Freedom in the South.

Integration Of Court Loses Here

The Atlanta Constitution
Atlanta Ga
Wed 11-23-60

Fifth Circuit Court of Appeals Tuesday upheld dismissal of a suit aimed at integrating seating arrangements in Atlanta's Municipal Court.

Clarence H. Seniors brought the suit against Luke Arnold, chief municipal judge, and Mayor William B. Hartsfield. The suit alleged that Seniors was required to sit in segregated seating in Municipal Court. The U.S. District Court dismissed the suit.

The appeals court pointed out that Seniors never called the municipal judge's attention to the segregated seating and added:

"It is neither necessary nor appropriate for us to assume that the judge presiding over the Atlanta Municipal Court would have refused to relieve the plaintiff and other members of their class from any requirement of racially segregated seating in the courtroom and, upon such assumption, to decide whether or not the federal courts should abstain from exercising their jurisdiction until redress has been sought through other courts of the state."

Dr. King Nigerian Visitor

Journal & Guide
Norfolk, Va
38a
Sat 11-19-60

ATLANTA, Ga. — Dr. Martin Luther King, Jr. will be a guest of the Nigerian government at the inaugural ceremony of Dr. Nnamdi Azikwe Nov. 16 as governor - general and Commander - in - Chief.

This will be Dr. King's second trip to the new Republic of Nigeria. He first visited there accompanied by Mrs. King. At that time they visited the new state of Ghana.

FOLLOWING the governmental ceremonies in Nigeria, Dr. King will spend one day with President Nkrumah at the capitol city of Accra. Dr. King will return to Atlanta on Nov. 20.

PARENTAL FORCES

Race Views Make Band Quit Parade

The Atlanta Constitution
Atlanta, Ga
Wed 11-23-60
P 15
38a

Constitution State News Service

JEFFERSONVILLE — The Twiggs County High School band will not be allowed to participate in a parade in Macon Friday because "parents here don't want their children playing in the same parade with Negroes," Tom Lee, chairman of the Twiggs Board of Education, said Tuesday.

The Twiggs band was one of several school bands invited to participate in the annual pre-Christmas parade in Macon.

A Negro band from Ballard Hudson High School also was invited to participate.

HAD PARTICIPATED

Both the Twiggs band and the Hudson High band have participated in the same parade in previous years.

But Lee said this year it was decide that the Twiggs band should refuse the invitation that it already had accepted.

"Several parents came before the board and said they didn't want their children playing in the same parade with Negroes," Lee said. "So the board decided that the band should not play. I don't have any further comment."

GIVES NOTICE

Band Director H. M. Kittle went to Macon Monday and officially notified the Chamber of Commerce that the Twiggs band would not play in the parade.

Neither Kittle nor the Chamber would comment on the band's withdrawal.

State Sen.-elect Mark W. Fitzpatrick of Twiggs was among those appearing before the board and asking that the Twiggs band be withdrawn from the parade.



SIT-IN MOVEMENT — Charles S. Zimmerman, ILGWU vice president and chairman of the AFL-CIO civil rights committee, is flanked by Glenford Mitchell, leader of the student sit-in movement in Raleigh, N. C., and by Edward Rodman, leader of the Portsmouth students. All are on a picket line sponsored by locals of the International Ladies Garment Workers Union. More than 1,000 union members participated in lunch-hour picketing of three of the largest Woolworth stores in midtown Manhattan as part of the campaign sponsored by CORE to boycott Woolworth stores in the North.



WHEN STUDENTS here started demonstrating for civil rights, local authorities brought out all available manpower to curb the movement. In the picture at left, firemen train hoses on a congregation leaving Dexter Avenue Baptist Church. The orderly church congregation was threatened by a mob of whites. Originally the churchgoers had planned a prayer service at the state capitol two blocks away. City authorities vetoed the plan. In the picture at left, police place an Alabama State College coed in the squad car bound for the city jail. This coed and 32 others were fined $208 apiece on charges of disorderly conduct and failure to obey an officer. When arrested, the students were protesting the expulsion of nine student passive resistance leaders. Gov. John Patterson personally ordered the expulsions.

NORMALCY RETURNS

ASC Works Overtime To Register Students

By JOHN COOMBES

Officials at Alabama State College are working overtime this weekend to process student registration, interrupted by the events of the last week, and a general air of normalcy is returning to the college.

Monday is the deadline for completing registration. By Saturday night 820 students had registered out of a total of 1,200 who originally expressed intent to enroll for the spring quarter. A large majority of the remaining 380 are expected to qualify Monday.

Officials expect the total spring enrollment will be less than in a normal year.

RACIAL AGITATION

They admitted that a small number of students leaving the college had been intimidated into departure by racial agitators. But while they deplored this intimidation, they were not unduly concerned about the expected overall loss of students.

One official pointed out that the college had been operating at a peak enrollment of over 1,900 for the last two years. He thought an ideal enrollment would be nearer 1.000.

HIGHER STANDARDS

"This would be in keeping with our all-round efforts to raise eligibility standards, which we have been working on for two years," he said.

There have been indications that registration was accelerated following a meeting of students, faculty members and some representatives of the Montgomery Negro community at the college Thursday night.

College officials are of the general opinion that activity by a small agitation group at the college has, for the time being, been arrested. They base this opinion on student statements they have heard, or which have come into their possession.

One of the officials said: "This activity has been arrested for a time, possibly while the agitators get ready for a new course of action. We are, of course, observing and waiting."

PARENTS SPEAK

College officials implied that participation by students in overt and subversive activities would play an increased part in future decisions on their eligibility for entrance to the college.

"Our colllege cannot afford unwholesome activities," one senior official said.

He said the events of the past three weeks had shown many significant instances of parents ordering their sons and daughters to withdraw from the college or cease taking part in demonstrations on and off the campus.

"Some parents have insisted that their children withdraw, and others have been withdrawn for fear of intimidation on the campus," he said

Protest Dismissal Of Teachers At Alabama State

NEW YORK — The National Association for the Advancement of Colored People has protested the discharge of 11 members of the faculty and the expulsion of more than 100 students from Alabama State College at Montgomery for their participation in peaceful demonstrations against racial segregation.

In a telegram dispatched to Gov. John D. Patterson of Alabama, NAACP Executive Secretary Roy Wilkins declared that "suppression by the State of Alabama of the constitutional right of citizens to assemble, speak and seek redress of grievances will sharpen the demand for exercise of those rights and will increase tension."

The text of the telegram follows:

"The National Association for Advancement of Colored People joins with other organizations and citizens in protesting dismissal of 11 faculty members at Albama State College allegedly because they counseled with students who staged peaceful demonstrations against racial segregation. We register, also, our protest against the expulsion of student leaders from Alabama State College and the dropping of an additional one hundred student demonstrators on the announced ground that they failed to observe some technical registration regulation. Suppression by the State of Alabama of the constitutional right of citizens to assembly and seek redress of frievances will aid demand for exercise of those rights and will increase racial tension. Suggestion of your Police Commissioner Sullivan that college be closed would have been the solution 300 years ago before Negroes had secured any education or perhaps 134 years ago when first Negro was graduated from an American college at Bowdoin. Supression is not only contrary to American history tradition and principles, but is too late."

32 Students Given Fines; File Appeals

Three Acquitted; Teacher, Husband, Ex-Student Convicted

By HERSCHEL CRIBB

Thirty-two Negro college students, one former student, a woman faculty member at Alabama State College and her physician husband were fined in Montgomery Recorder's Court Friday on charges growing out of racial incidents near the college Tuesday. Three students were found not guilty by Recorder Eugene Loe.

The atmosphere of the courtroom was charged with none of the tension which has marked the racial scene here in recent weeks. Whites and Negroes alike, steered clear of the Madison avenue side of City Hall, in compliance with a city directive that only persons connected with the case and newsmen would be admitted to the trial.

BOND POSTED

There were no incidents. A handful of spectators were admitted after the trial was completed and before the sentencing.

The students and former student were fined $100 and costs on each of two charges: Failure to obey the command of a police officer and disorderly conduct. They all appealed to circuit court.

Appeal bond of $200 in each offense was posted by each of the students and the ex-student.

The faculty member, Mrs. Alene H. Underwood and her husband, Dr. Jefferson Underwood, drew lesser fines.

The husband was fined $1 and costs for failure to obey an officer. He was acquitted of a disorderly conduct charge at city jail, where he went to check on his wife after her arrest.

His wife was fined $10 and costs for disorderly conduct. Officers said she shouted at them as they loaded the five girl students arrested into a police car. Husband and wife both paid their fines and did not appeal.

Two of the acquitted students, Donald L. Boyd and Errel Gardener Cummings, said they were on a porch when arrested and not in the milling student group.

(Continued From Page 1)

NOT JAILED

The third student acquitted was Charles Lewis Williams. Police had already ordered him held for violation of probation on a former conviction of false pretense.

The convicted students could have also received a six months jail sentence but Judge Loe did not impose this.

He intimated that Negro Attorney Fred Gray's pre-sentencing statement that the Negro school's students had agreed to go back to class and hold no more demonstrations weighed with him.

He asked Judge Loe to free the students until next Monday on their present bonds to allow time to decide whether to appeal.

Judge Loe declined, but did permit the group to remain together in the courtroom for a couple of hours while bond or fine money could be gathered.

STUDENTS FINED:

The 32 students fined—including five girls students—were:

Paul Joseph Adams, 19, Montgomery; Dred Scott Arrington, 21, Montgomery; Claude Barby, 22, State College; Thomas Lee Calhoun, 25, Montgomery; Joanna Davidson, 20, Tallassee; Elbert Lawrence Dennis, 21, Montgomery; Rebecca Dixon, 18, Montgomery; Samuel Floyd, 19, Montgomery; Augusta Edward Grace, 19, Montgomery; James Stanley Haskins, 18, Montgomery; Frank Edsel Hawkins, 21, State College. Durlin Cecil Hayes, 23, Montgomery; Dorothy D. Henderson, 20, Linden; Dolphus Hendrix, 20, Montgomery; Emmit McRoyon Horne, 23, State College; Milton R. Ivery, 18, Montgomery; Pitts Edward Jefferson, 21, State College; Kenneth McMillan, 19, State College; Thressa Maddox, 18, Kennedy, Ala.; Carl Anthony Moore, 17, State College.

Eugene McAllister Morgan, 21, Montgomery; Julian Elponzo Relf, 23, Montgomery; Raymond Reynolds, 25, Montgomery; James Rickerson Jr., ex-student now an Air Force airman; Franklin Delano Riley, 19, Montgomery; Richard Sanders Jr., 19, State College; Carroll Ray Walters, 19, Montgomery; Sylvester Walters, 20, Montgomery; Willard Edward Waters, 17, Montgomery; Rosetta White, alias Price, 18, Georgiana; Marion Jerome Whitehurst, 20, State College.

NEGRO CUSTODIAN

In passing sentence, Judge Loe said he found that "duly constituted authority has been deliberately defied in the massing for the purpose of making a protest demonstration."

Police were called by the Negro school custodian after some of the students had "shoved" him.

Capt. D. H. Lackey was in command of the officers who arrested the students after they displayed placards and uttered shouts.

Both the placards and shouts protested the expulsion of nine students earlier by the State School Board as "ringleaders" of march demonstrations to the cosnty courthouse and the Capitol.

Besides Lackey, Officers J. V. Johnson and W. E. Boles testified against the students and the woman faculty member arrested. The officers identifed specific Negroes as having carried specific protest signs and uttered specific remarks.

MADE NOTES

When the defense attorneys asked how they connected the individual students with the signs or remarks, the officers replied by mentioning a moustache or other feature of the student.

Officer Boles said he had made notes but did not know the name of the students he was putting into the notes at the time. He said he later identified them by photographs. The Negro attorney was unsuccessful in an attempt to get court permission to see the officer's notes.

The defense attorneys sought to exclude these identifications on the ground that the officers had no specific points to prove their identification. But the judge admitted them.

Several students said thay had not participated in the demonstration but had walked up just as police herded the protesters together for arrest and were mistakenly included.

However, the two students acquitted were the ones who said they were sitting on a porch and were not in the crowd. The others who claimed accidental association were convicted.

Judge Loe said there is "such a thing as guilt by association." He said he would convict any arrested student in the crowd on the ground they were aiding and abetting the demonstration.

He said he proceeded on a similar premise earlier in the Green Lantern cases.

ASC Ordered To Place 31 On Probation

The president of Alabama State College was ordered Friday to put on probation the Negro students who were recently convicted of disorderly conduct following their arrest during an anti-segregation demonstration.

At the same time, the State Board of Education called on President H. Councill Trenholm to fire any faculty member who encouraged student protests.

The motion calling for the crackdown at Alabama State was offered by Gov. John Patterson, ex-officio chairman of the board. And Patterson added a warning of his own to Trenholm—the governor said that if Trenholm could not "clean up" the college then he felt the Board of Education should find someone who could.

31 CONVICTED

Thirty-one students at the Negro college were convicted in Recorders Court here March 11 on charges of disorderly conduct and refusal to obey the order of police officers. The arrests were made after a group of the protesting Negro students had roughed up one of the college employes who sought to dissuade them from demonstrating.

State School Supt. Frank Stewart told the board Friday he did not know how many of the convicted 31 were still in college.

The board's resolution regarding the college came after Stewart made a report of an investigation he had made at the governor's request.

Stewart said his investigation indicated that at least 11 members of the college faculty "have not been loyal to the school and have not shown cooperation with the college in trying to get things straightened out."

He added that three faculty members also participated in the demonstration near the Capitol on Sunday afternoon, March 6. Stewart did not identify any of the faculty members.

PLANNED SIT-IN

The school official also disclosed that he had learned that a group of white and Negro people "from outside the state" had come to the Alabama State campus six or eight weeks before the sit-in incident at the courthouse and planned that demonstration.

Patterson, who had made a probe of his own, said he learned that the out-of-state tuition fee at Alabama State is $35 a quarter. He noted that at the University of Alabama the non-resident fee is $600 a semeseter. He proposed that Stewart call a meeting of college presidents to work out a more "realistic" fee system for all the colleges.

"I think we are justified in increasing substantially out of state fees for all colleges, especially the Negro schools," Patterson declared.

The board first voted to hear Stewart's report on the college in executive session, despite strong protests from Gov. Patterson. But moments later the board reversed itself and declared the meeting open after newsmen called attention to a state law prohibiting executive sessions except where the good name of a man or woman is involved.

38a 1960

ALABAMA

MONTGOMERY
DAIRY QUEEN ICE CREAM STANDS

Man Arrested On Guard Duty

Birmingham Post Herald

Birmingham, Ala

Was Protecting Ice Cream Stand

Sat. 10-1-60

p. 3

MONTGOMERY, Sept. 30 (UPI)--A recorder's court judge placed one of four armed men on 30 days probation today after officers found them guarding an ice cream stand which serves both Negroes and whites on a stand-up basis.

The white men told police they were guarding the Dairy Queen at the corner of Decatur and Groveats, following several threatening telephone calls.

Authorities said the issue is over the sale of ice cream cones through a window. The operator of the chain establishment in Montgomery has refused to install two windows--one for whites and one for Negroes.

Dairy Queen stands here have been the target of vandals twice during the Summer months. In July, eggs filled with red paint were hurled at windows of two of the buildings and in August light bulbs filled with tar were thrown against the stands.

The operator of the chain, Oliver Mims, was one of the occupants of the car questioned by officers last midnight.

Others in the vehicle were identified as Ralph Mims, Lamar Walters and E. J. Fabarez. Fabarez was charged with carrying a concealed weapon and placed on probation by Recorder's Court Judge Eugene Loe Jr. The others possessed gun permits. Fabarez identified himself as Mims' son-in-law, stationed at Maxwell AFB.

Officers said they uncovered two .25-cal. Italian-made automatics along with a pump rifle loaded with 15 rounds of hollow-point ammunition.

Policeman P. L. Burton said the men told him they were guarding the building against vandals.

38a 1960

ALABAMA

wt B

ON LOCAL SEGREGATION FRONT

The Montgomery Advertiser

Parks Closing, Threat Of Suit To Integrate Schools Top News

Montgomery, Ala.

Fri. 1-1-60

Closing of the parks in January and the threat in December to file suit forcing integration of public schools were highlights of racial news in Montgomery during 1959.

In between, the other 10 months of the year were relatively quiet compared to racial disturbances and controversies of the immediate years preceding 1959.

As a result of a suit filed by a group of Montgomery Negroes, Oak Park, beauty spot of Montgomery, and all other public parks in the city were closed by the City Commission on Jan. 1. Signs were placed at all entrances forbidding use of the parks to the public.

As the year ended, indications were the parks may never be reopened. The Negroes won a favorable decision, declaring that the city's parks can never be operated on a segregated basis, in U.S. District Court. City officials appealed the decision but privately, they hold little hope that Judge Frank M. Johnson's ruling will be voided.

As a further indication of this pessimism, the city sold all of the zoo animals in Oak Park in a series of sales in December.

Negro integrationists petitioned the Montgomery City - County School Board in August to come up with a plan for the integration of schools but they received no answer.

The Rev. Martin Luther King Jr., Negro minister who announced he will move to Atlanta in January, 1960, to further his integration activities, said in a farewell address in December that a suit against the school board definitely will be filed in federal court.

The announcement put a damper on budding hopes of whites that King's leaving might lead to a lessening of racial agitation in Montgomery.

In other racial news, hearings of the Civil Rights Commission in Montgomery ran over from December, 1958, into January, 1959 in connection with alleged denial of voting rights to Negroes in several Alabama counties.

And for the first time in the memory of local residents, Negroes were not invited to take part in an inaugural parade for a governor. Avowed segregationist John Patterson, who took office in January, failed to invite Negro units to participate and as a result, most Negroes boycotted the parade.

An alleged member of the Ku Klux Klan was killed by a restaurant owner after the Klan protested the employment of Negro waiters at the establishments.

Trial of the defendant, James Peek, who claims self defense was still pending as the year ended.

A local theater canceled showing of a movie depicting a biracial scene following protests by the Montgomery White Citizens Council.

Acts unofficially—

The Birmingham News

Birmingham, Ala.

Screening group declines to quit

Jan. 10-60

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., Jan. 9—On the last night of the legislative session, Gov. Patterson's Senate leaders killed a resolution extending the life of the legislative segregation screening committee but, it develops, the committee refuses to die.

Members have agreed to act in an unofficial capacity and at their own expense during the interim between the 1959 and 1961 regular legislative session, Lt. Gov. Albert Boutwell revealed here this week.

In fact, Boutwell disclosed that next week he and Joseph F. Johnston, Birmingham attorney and member of the State Bar Assn.'t committee to wark with the legislative screening committees, and others will confer in Selma on a problem involving segregation.

Created in 1953

THE LEGISLATIVE screening committee was created in 1953 to consider all legislation relating to segregation. One of its purposes was to rule out trivial or ill-timed measures. On the other hand, its purpose was to improve other proposals if necessary which would aid in the fight to maintain the Southern way of life.

The legislative screening committee was composed of an equal number of senators and representatives.

The Birmingham News

In an effort to help the committee, the State Bar Assn. appointed a special group of lawyers, headed by Johnston, to work with the screening committee.

Birmingham, Ala.

The screening committee functioned during the last two years of the Persons administration. It was renewed at the beginning of the Folsom administration and remained active until the beginning of the Patterson administration. Once again the committee was recreated by the present Legislature.

Continuous Service

BECAUSE THE committee has been regarded all along as an important policy group, it has been generally understood that each legislator who had served on the committee during a previous session would be reappointed.

Some members of the committee, therefore, have served continuously since the beginning.

Boutwell served on the committee during the Persons and Folsom administrations. He was ineligible, as lieutenant governor, to serve during the present administration. But he worked with the group in an unofficial capacity.

The screening committee has a number of outstanding accomplishments to its credit.

THE PUPIL PLACEMENT law which has been upheld by the U. S. Supreme Court and later copied by other Southern states, is one. Another is the "freedom of choice" act. And a third is the Dumas measure enabling schools to withdraw from a public school jurisdiction facing the prospect of a federal court compulsory integration order and form a new school district or board.

Because the authority of the latest screening committee extended only to the end of the 1959 regular session, a joint resolution was offered in the House to extend the committee's life to the beginning of the 1961 session.

The House adopted the resolution without a dissenting vote.

It got caught behind the Senate log jam of the last few days and did not reach the floor.

ON THE FINAL night of the session, Senate members agreed that any senator could call up any measure but that if one senator objected it would not be considered.

An effort was made to call up the resolution. Wilcox Sen. Roland Cooper, who became an outstanding administration supporter during the 1959 session, objected.

A while later another effort was made to call up the resolution. Sen. Bob Kendall of Conecuh, a member of the committee since the start, pleaded with the Senate to give the resolution the right-of-way.

On that occasion, however, Sen. Vaughn Hill Robison of Montgomery, himself a member of the committee, objected. He said the governor did not want the committee's tenure extended because he thought the work could be done by the attorney general's office.

'Guests Only' Notice Means It, FBI Finds

The Montgomery Advertiser

Federal officials checking voter records at the courthouse this week found the sign at the lunchroom, "For courthouse employes and their guests only," means just what it says.

1-7-60

FBI agents coming to the lunchroom not in the company of an employe were turned away when they could not meet Mrs. Mary Belle Pugh's request to see their membership card.

Montgomery, Ala.

Mrs. Pugh is the lunchroom operator.

State Library Director To Leave Post April 21

Miss Emily W. Reed, a target of segregationists in 1959, resigned Saturday as director of the Alabama Public Library Service to accept a library consultant's position in Washington, D.C.

The State Library Board accepted her resignation "with regret." It will become effective April 21. However, Miss Reed will vacate her directorship post March 1 to take advantage of accumulated leave time.

Board members immediately announced the appointment of Mrs. Elizabeth Parks Beamguard, former librarian at the Huntsville Public Library and presently a field representative for the library service.

In accepting the position, Mrs. Beamguard said: "I am indeed honored. I think this position is one of the highest honors in the state."

A native of Fayetteville, Tenn., Mrs. Beamguard is a graduate of the Emory University library school in Atlanta. She began working with the State Library Service as a temporary representative in October, 1954 and was given permanent status in January 1956.

She was librarian at the Huntsville library for almost 11 years and served as first librarian for the University of Alabama Center Library when it was established.

Born in Asheville, N.C., Miss Reed became director of the Library Service in September 1957, after serving as head librarian of the Rapides Parish Library in Alexandria, La., for seven years.

In her senior year at Indiana University, she was a member of Phi Beta Kappa. She was trained for library work at the University of Michigan, where she graduated cum laude.

In addition to her post at Alexandria, Miss Reed also has held important positions at the University of Michigan, Florida State University, Detroit Public Library and in Kauia, Hawaii.

Miss Reed said in her written statement to the board. "There have been many difficulties, but there have also been so many stimulating, pleasant, and heartwarming contacts and experi-



MISS EMILY W. REED
Resigns As Library Director

Beamguard as her successor "because of her fine qualifications for the job."

Miss Reed came under the fire of Sen. E. O. Eddins of Marengo County while testifying for her agency's budget.

Eddins issued a scathing verbal barrage at the director for refusing to ban from library circulation a children's picture book called "The Rabbits' Wedding" and re-printing a list of "notable books of 1958" which he said had pro-integration leanings.

Members of the Library Board are Mrs. Bernice Youngblood of Jasper, chairman; Mrs. T. C. Crain of Guntersville; Gene Gibbons of Butler; Jerome Levy of Demopolis, and James L. Rankin of Decatur.

From Birmingham case

Ala. Supreme Court Boycott Ruling Due

(Courier Press Service)

BIRMINGHAM, Ala. — What could be the final nails in the coffin of all Alabama boycott laws may be driven soon, when the Alabama Supreme Court rules on the appeal of John Harvey Kelley, a local Negro, charged with passing out boycott literature in 1958.

Harvey was fined $1,000 and given six months at hard labor on Jan. 20, 1959, when he was convicted on the charges. He passed out the alleged material in the vicinity of the Hayes Aircraft Corporation.

Through his attorney, Peter D. Hall, Kelley appealed to the State Court of Appeal, challenging the constitutionality of the laws under which he was convicted. Having no authority to rule on constitutionality of a law, the Appeals Court certified the case to the State Supreme Court last month. The decision of that court is now awaited.

IN LIGHT of other rulings knocking down legality of boycott laws, it is believed that the State Supreme Court will hold the section under challenge to be void. That section says the printing or circulating notice of a boycott is forbidden. It was one of two sections used against Dr. M. L. King Jr., and the Montgomery Improvement Association in restraining their boycott. The other section dealt with conspiracy, combination or agreement to interfere with/or hinder a business, which the law said was unlawful.

Other sections of the boycott laws have already been knocked down, one by action of the U. S. Supreme Court, another repealed by the State Legislature and another dependent upon that one declared void by the Court of Appeals.

Still in force in connection with boycotts are sections against using force or threats against persons engaging in lawful occupations; maintaining blacklists, and taking possession of property or instrumentality of another.

These, too, may soon be challenged in the courts. Attorney Hall says he expects the Supreme Court to rule in Kelley's case in the very near future.

38a 1960

ALABAMA

LUNCH COUNTER - F I N E S

NEGROES, MINISTER WHO ATE TOGETHER FINED IN ALABAMA

Montgomery, Ala., June 7 (UPI)—A special circuit judge found seven Negroes and a young white minister guilty of disorderly conduct Tuesday for participating in an integrated luncheon March 31.

Judge Sam Baker fined each defendent the maximum of $100 and $43 in court costs. He said the court was not implying that integrated eating is unlawful, but rather that the conduct of the defendants in racially tense Montgomery "tended to incite a breach of the peace contrary to the customs, traditions, decorum and tranquility of the city.

Ten white students from MacMurray college in Jacksonville, Ill., with whom the Negroes ate lunch, were acquitted by an all-white jury last month. Tuesday's defendants, however, had waived jury trial.

the paper back publishers are inadequate distribution facilities, the fact that the titles published were in excess of available bookstore display space, and the decline in worthwhile reprint titles as hard cover publishers begin their own paper back lines.

Urges Market Goals

He urged that the paper back publishers decide the market they are after, and said:

"List after list appears in which the mediocre is made to masquerade as the defini-

Two Sentenced for Mix Effort

Northern Minister and Negro to Appeal Case

MONTGOMERY, Ala. (UPI)—A young Northern minister and his Negro companion were fined $100 each and sentenced to three months hard labor a second time on charges of boldly attempting to integrate a downtown hotel dining room.

Attorneys for the Rev. Ralph Edwin King Jr., 23-year-old Boston university theology student, and Negro Elroy Embry said, however, they would appeal the decision. The two men were released on $1000 bond.

Wednesday's trial was an abbreviated version of the earlier trial. The two men were given hard labor sentences last June on charges of refusing to obey an officer and trespassing. However, the conviction was thrown out after it was learned the city had failed to introduce the ordinance which the two men were accused of violating.

Circuit Judge Eugene Carter, who heard the first trial, also heard the re-trial.

CLAIMS DISCRIMINATION

Negro defense attorney Fred Gray of Montgomery again claimed the arrest of King and Embry was "a discriminatory act brought about solely because of Embry's race and color." Gray tried unsuccessfully to prove the trespassing charge was the result of the city's attempt to impose segregation. The Negro attorney emphasized that King was registered at the hotel and that Embry was his invited guest.

"The court holds that a man can run his business either for whites or for blacks or for both together, however he wants to do it," Carter said. "But this court takes the position a hotel can ask any one—white or black—to leave if their presence violates the hotel's policy."

Charles A. Dionne, manager and vice-president of the Jefferson Davis hotel where the luncheon attempt took place, testified he refused to serve King and Embry because "we have the privilege to refuse service to anyone."

Dionne told the court he asked the Negro and his white host to leave the hotel dining room with no success and then called police.

JUDGE LIMITS QUESTIONS

Carter limited Gray's attempts to question city clerk Silas Cater on other ordinances passed by the city commission the same day as it passed the ordinance under which the defendents were accused. Gray had charged the laws were to enforce segregation and that the city was "imposing racial segregation in privately-owned city facilities which we say they can't do."

However, Carter refused to allow the questions, saying "your purpose is to inject race into this case."

King and Embry, who had been expelled from Alabama State college for taking part in anti-segregation demonstrations, were convicted the day after the luncheon attempt in recorder's court. Judge D. Eugene Loe Jr sentenced the pair to 10 days at hard labor and fined them each $200.

However, they appealed the case to circuit court after spending two and one-half days in jail, cutting wood and grass.

King, a native of Vicksburg, Miss., and the 33-year-old Embry entered the dining room of the all-white hotel June 7—just a few hours after they were found guilty and fined in circuit court for taking part in an integrated luncheon last March with 18 other whites and Negroes.

Circuit Judge Eugene Carter set the penalty after the second trial on the charge for the Rev. R. Edwin King, 23-year-old student at Boston University, and Elroy Embry, 33.

Carter heard the case without a jury, just as he did July 12 in convicting them of the trespassing charge. The judge set the same penalty both times.

King and Embry were released under $1,000 bond each pending an appeal to a higher court.

The two men, who were originally convicted in City Court, were granted the second trial in State Court on the ground that the city failed to introduce as evidence the trespassing ordinance they were accused of violating.

2 Get 3 Months In Alabama Sit-In

MONTGOMERY, Ala., Nov. 10 (AP).—A white theology student and a Montgomery Negro were sentenced yesterday to three months in jail and fined $100 each for trying to dine together in a white restaurant.

Circuit Judge Eugene Carter set the penalty after the second trial on the charge for the Rev. R. Edwin King, 23-year-old student at Boston University, and Elroy Embry, 33.

Judge Carter heard the case without a jury, just as he did July 12 in convicting them of the trespassing charge. The judge set the same penalty both times.

The two were released under $1,000 bond each pending an appeal. They had been arrested June 7.

2 Sentenced In Alabama Mixing Case

MONTGOMERY, Ala. — (AP) — A white theology student and a Montgomery Negro Wednesday was sentenced to three months in jail and fined $100 each for trying to dine together in a white restaurant.

Bi-Racial Diners Get 3 Months In Montgomery

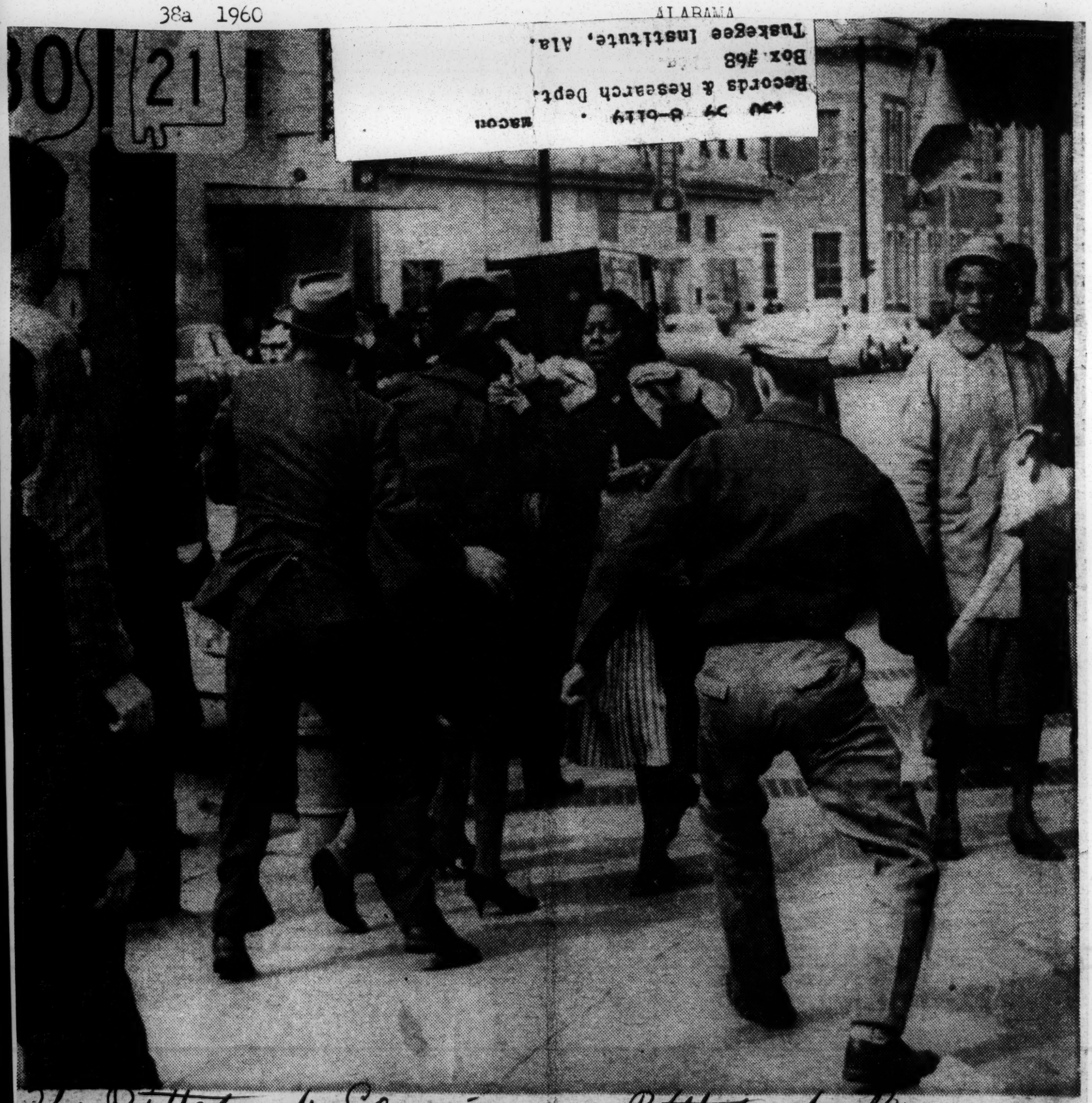
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Records & Research Dept.
Box #68
Tuskegee Institute, Ala.



How Evil Can You Get?—The "mockery" of Dixie Senators filibustering against civil rights . . . to protect the rights of everyone . . . is never more graphically illustrated than in this damnable picture. The blood of any decent human being must reach the boiling point as one observes the man with the baseball bat preparing for his "sneak attack." We KNOW the identity of the white man! The woman in the picture . . . about to be hit on the head . . . is 20-year-old Christine Stovall, attired in a black coat, with hands trying to protect her head. She was NOT a student protestor. To make it worse, a daily newspaper editor said: " . . . half a dozen policemen were standing no more than 20 yards away . . . " (STORY INSIDE).

Foreign Country? . . . Or U.S.A.!

The Pittsburgh Courier

How Low Can Alabama Get?

Pittsburgh Pa.

By TREZZVANT W. ANDERSON

Sat. 3-12-60

MONTGOMERY, Ala.—Alabama, one of the two foreign countries within the borders of the United States (Mississippi is the other), hit a new low last week when savage white men attacked defenseless Negro women on the city's main street and beat them with baseball bats, while city policemen stood by and did nothing at all about it.

Furthermore, the city's police commissioner, L. B. Sullivan, actually took a stand in support of the unbridled thuggery demonstrated before the eyes of his policemen. Sullivan denied that any policemen were present during the affair and added that no complaint of the affair was made to the police department. No arrests were made.

City editor Ray Jenkins of the Alabama Journal, afternoon daily, wrote an eyewitness report of the beating and repeated later his statement that the policemen were present, when Miss Christine Stovall, about 20, was hit with the baseball bat.

Said Mr. Jenkins: "Several newsmen and at least a half-dozen policemen were standing no more than 20 yards away when the fight broke out."

He later told Mr. Sullivan in a letter: "I was there! You were not. There were policemen there."

Governor John Patterson tried to pass off the affair by saying it was an affair for the city police. He did, however, use the incident —Faubus-like— to try to bolster a claim that the student protests were inciting to riots and violence.

When the thug with the bat sneaked up behind Miss Stovall "he struck her a blow on the right side of the head with a crack that could be heard a half a block away," Jenkins said. Blood gushed from the wound, but Miss stovall was not knocked unconscious, the report went on.

Then after about a dozen whites and Negroes had scuffled on the sidewalk for about a minute, the police came in and broke up the melee. They had been standing nearby. The incident began when Miss Stovall and an unidentified white man were involved in a sidewalk pushing incident. She is not a student.

The attacker with the baseball bat was one of some 25 whites armed with the 18-inch bats who had been patrolling the streets in pairs part of that day. None were arrested or spoken to by policemen.

Apparently the city has given license to armed whites to patrol the streets, beating defenseless Negro women at will and with complete impunity. This is evidently what the Southern Senators are filibustering for—to preserve that right.

The incident occurred about four blocks from the church formerly pastored by Rev. M. L. King Jr.

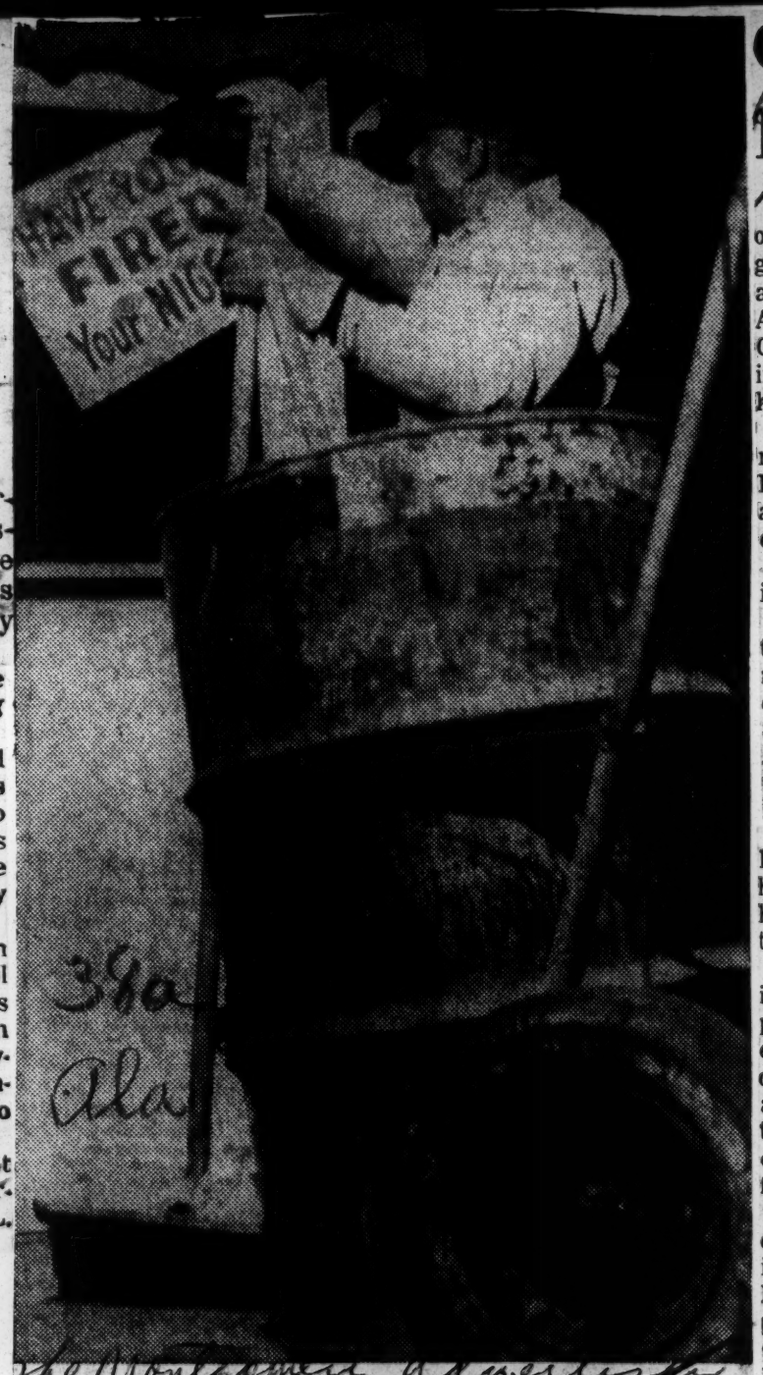
Mansion Receives Threatening Call

Advertiser

For the second time in less than a week extra guards have been put on duty around the Executive Mansion following a threatening telephone call.

Highway Patrolmen were assigned to guard Gov. John Patterson's official residence on South Perry Thursday morning following another telephone threat.

Public Safety Director Floyd Mann said an anonymous caller warned that "something bad is going to happen" at the mansion. Mann said the guard who took the call identified the voice as that of a Negro.



Montgomery Ala.

RACE SIGNS COME DOWN

Police and city workmen Tuesday continued to pull down segregationist signs suggesting an economic boycott of Negro workers. "Have you fired your nigger?" and similar slogans. Police said it is a violation of the city code to post signs anywhere but in places approved for permanent display. A street cleaner is shown taking down one of the signs.

Negroes Win Round

BIRMINGHAM, Ala. — Rev. F. L. Shuttlesworth and his organization won another round in their fight against local segregation when Federal Judge Hobart Grooms refused to dismiss their suit asking that local parks be used by all races.

GOP Committeewoman Tags Negro Charges 'Ridiculous'

The Montgomery Advertiser

Montgomery Ala.

TALLADEGA (AP) — Charges of a reign of terror against Negroes at Montgomery are "false and ridiculous," said Mrs. Tom Abernethey, Republican National Committeewoman for Alabama, in a telegram to President Eisenhower Tuesday. 3-16-60

Mrs. Abernethey, referring to recent requests that President Eisenhower intervene, said only a "small number of Negroes" engaged in demonstrations.

She said the "alleged terrorism . . . simply does not exist."

"The simple truth of the matter is that a relatively small number of Negroes in Montgomery and elsewhere through the South have engaged in demonstrations with obvious intent to provoke incidents," her message read.

"In so doing, they have violated local law and custom, have defied police orders, and have disturbed the peace, piling tension upon tension.

"Any fair-minded person familiar with the happenings of the past few weeks would acknowledge that the white community of Montgomery has behaved with amazing restraint and moderation in circumstances of extreme difficulty and resulting solely from the work of agitators."

Mrs. Abernethey said the work of state, county and city officers in preventing major trouble in Montgomery when Negroes planned a mass march on the Capitol was a superlative piece of law enforcement and one for which all citizens — white and Negro — should be profoundly grateful."

The work of the officers was based on a formal public announcement that, without regard to race, demonstrations carrying within them the seeds of trouble would be prohibited, Mrs. Abernethey told the President.

"The vast majority of Alabamians, white and Negro alike shrink from these disorders and pray that the leaders of these Negro groups may realize the dangerous folly they are encouraging.

"You have been asked by the NAACP and by Walter Reuther to intervene in the Montgomery situation. They are asking you to protect Negroes from an alleged terrorism that simply does not exist.

"May I respectfully say that Alabama society still exists and that its duly constituted authorities are doing their full duty in enforcement of the law and protecting the legitimate activities of all citizens."

38a 1960 ALABAMA



YHITE MAN READY TO SLUG NEGRO WOMAN ON MONTGOMERY STREET
. . . Unidentified man hit Christine Stovall, during tense afternoon

Negro woman injured—

Racial tension high in capital, Tuskegee

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., Feb. 27—Racial tension remained high here and in Tuskegee Saturday afternoon in the wake of Negro protest meetings which left one Negro injured here and a Negro and a white man arrested in Tuskegee.

The injury of Christine Stovall, about 22, touched off a pushing and shoving match which lasted about a minute. She was struck over the head by one of about 25 white men who gathered in the downtown Montgomery area carrying miniature baseball bats in paper sacks.

Meanwhile, an estimated 300 to 400 Negro students at Tuskegee Institute made an orderly protest march around Tuskegee's city square.

Two arrested

20-YEAR-OLD Negro student, Clyde Hollis, and a white mechanic booked as Thomas C. Storey, 30, Tuskegee, were arrested on charges of disorderly conduct and affray. Witnesses said there was a scuffle between the two but they were quickly separated. Both were released under $50 bond.

State, county and city law enforcement officers stood by to guard against trouble in Tuskegee as the students marched two abreast around the square carrying placards appealing for voting rights and civil rights in general.

One of the signs seen most frequently in the Tuskegee march bore the words, "A voteless people is a hopeless people." Another said, "Take the color out of voting."

The students marched in disregard of the advice of Dr. L. H. Foster, president of Tuskegee Institute, who had urged them to remain on the campus. The students held a rally last night and another about 1 p.m. Saturday attended by about 1000 students.

Sympathy march

THE STUDENTS said their march was in sympathy with demonstrations against segregation by students in other Southern cities and as a general civil rights protest.

The injury of the Montgomery woman was the only violence reported as an explosive atmosphere existed in Alabama's state capital, where Negroes carried on a year-long boycott of city buses in 1955.

Tension has been high in Montgomery since students at Alabama State College attempted to get service at a Courthouse coffee shop earlier this week.

About a dozen whites and Negroes were involved in the scuffle in which the woman was injured. She suffered a laceration of the head which bled freely. She was not unconscious.

No arrests made

SHE SAID SHE was not a student at Alabama State College. The scuffle ended before police stepped in. The white man walked off in the crowd and no arrests were made.

Reports circulated throughout the downtown area that Negro students might stage a protest march on the downtown area, and that downtown merchants might be boycotted.

The Rev. Ralph D. Abernathy, president of the Montgomery Improvement Assn. said later he doubted the Negro youths would make another demonstration Saturday.

SEVERAL HUNDRED Negro students filed into the Baptist Church, of which Abernathy is pastor, early Saturday afternoon for what he described as a "youth council meeting."

Abernathy said many of the youths were members of his church and the doors were opened to them because they had nowhere else to meet.

Police made no attempt to confiscate the small baseball bats away from the white men. A police official said they could be purchased lawfully by anyone at a 10-cent store and couldn't be considered weapons unless used violently.

Abernathy said if the whites carrying the baseball bats persisted in their campaign of intimidation, it might mean that Negro leaders would advise their race to stay out of town.

Earlier in the day, a group of white men from at least three counties—Jefferson, Montgomery and Sumter—gathered at the city baseball park. They dispersed after city and state police arrived and began questioning them.

MIA Leader Tipped Newsmen Before Lunchroom Sitdown

The Negro leader of the Montgomery integration movement telephoned newspaper and news agency offices here Thursday morning and told them that the first lunch counter sitdown demonstration to be staged by Negroes in this city was about to begin.

Fifteen minutes before a group of 25 Negro students from the Alabama State Teachers College walked into the lunchroom of the Montgomery County Courthouse and demanded service, the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Assn., tipped-off reporters. He called the offices of The Montgomery Advertiser-Journal, the Associated Press and United Press International and warned them that a sitdown demonstration was about to begin in the courthouse lunchroom.

Abernathy said the demonstration had not been organized or sponsored by the MIA. He said a student called him and informed him that the demonstration was already in progress. He in turn tipped off the newspapers and news agencies.

The demonstration actually began about 15 minutes after the newspapers and agencies received Abernathy's call.

Abernathy emphasized that the students were operating independently of the MIA.

"We are not promoting sitdown demonstrations. They are not part of our program," he said.

Abernathy said some of the Negroes taking part in the demonstration were probably MIA members.

"Some of our members are students at Alabama State," he said.

Abernathy said he and his staff were greatly encouraged by the courage displayed by the students in staging the demonstration.

Asked if he would recognize the demonstration he said "We are not sponsoring or promoting the demonstrations, but as their pastors and elders we will stand with them."

He said, "We shall call upon them to abstain from all violence. They must be ready to receive violence but they must not reciprocate it."

Lunch Room Will Remain Shut Today

The courthouse lunch counter, closed Thursday after efforts of Negro college students to be served there, will remain closed Friday, Circuit Solicitor William F. Thetford said.

Whether or not it reopens, and under what circumstances, is expected to be decided by the County Board of Revenue at its weekly meeting Monday.

Speculation is that the grill, operated under lease from the county to Mrs. Mary Belle Pugh, may reopen with the proviso that only employes of the courthouse and their "guests" will be permitted to eat there.

The board of revenue wrote a 30-day cancellation clause into its lease with Mrs. Pugh. Insertion of the clause was prompted by fears that at some time, an effort would be made to integrate the facilities.

In Harris County, Texas, Negroes won a suit calling for integration of a courthouse cafeteria. A federal court held that the courthouse was built with public funds and that the cafeteria could not be segregated, even though it was operated under lease.

Issues statement—

No sitdowns, Connor warns

Public Safety Commissioner Eugene Connor today warned against any food counter sitdown demonstrations or other activities in Birmingham similar to those which have occurred in other Southern cities. He declared:

"This is to serve notice on all citizens that the Department of Public Safety of the City of Birmingham will not permit activities on the part of any person that could, or does lead to a breach of the peace.



CONNOR

"Citizens throughout the Southeast have witnessed, and read in the press, of organized efforts on the part of some persons to create incidents that have led to breaches of the peace and which have resulted in violence that could have erupted into something very, very serious for all citizens.

"THIS IS TO NOTIFY all citizens, white and Negro, that the City of Birmingham will not tolerate activity on the part of anyone or group that will breach the peace or infringe on the rights of others.

"The Department of Public Safety will guarantee the rights of all citizens to go about their affairs and their businesses in a normal and proper way. It will not permit organized, planned and deliberate efforts to foment violence and interfere with the rights of others."

City Leaders Issue Words Of Warning

Mayor Earl James and Police Commissioner L. B. Sullivan both issued ringing denunciations of an attempt Thursday by Negroes to be served at the all-white courthouse grill.

Both asked Negroes of Montgomery to discontinue the attempt to push integration efforts here.

James said:

"It is regrettable that this group of Negro students from Alabama State College has seen fit to take part in a demonstration that cannot possibly accomplish any good for their race.

"I wholeheartedly endorse Gov. Patterson's stand that College President Trenholm investigate the incident and expel any of the college students involved.

PUSHED TOO FAR

"We shall make every attempt to maintain law and order in Montgomery but I feel that I must warn the Negro people of this community that the tempers of the white citizenry of our city is being pushed to a point beyond their power to control.

"I urge any responsible Negro leaders to counsel their race to discontinue this harrassment."

James received word of the demonstration while in Anniston to deliver a speech.

Commissioner Sullivan issued this statement:

"We do not intend to permit outside forces to create, provoke or otherwise incite any racial incident here in our city.

"The Montgomery Police Department is under instruction to enforce existing laws and to take whatever action that is necessary to suppress agitation and prevent violence.

"I have been in constant contact with Mayor Earl James, who was out of the city at the time of the incident this morning and I want to assure the citizens of Montgomery that we are prepared to take whatever action that might be necessary to maintain and preserve the time-honored traditions and customs of the South.

"I would like to suggest to the Negroes of Montgomery that they examine very closely the motives of local Negro trouble-makers and outside agitators and determine if their intent is to serve any useful purpose or merely to secure publicity for their own personal gain and financial interest, as has been done in the past.

"It is the sworn duty of our office to protect all persons from injury to their person and property. This we intend to do to the very best of our ability."

Tense Truce Settles Over Sit-In Front

By THE ASSOCIATED PRESS

An uneasy truce prevailed Sunday on the Southern segregation front.

There was a bomb scare in Chattanooga, Tenn., Saturday night at a Negro high school gymnasium during a basketball game. The building was emptied quickly, but police found no trace of an explosive. The game was resumed.

Chattanooga police, fearful of a recurrence of last week's disturbances, made 18 precautionary arrests during the night, breaking up groups and clusters of potential troublemakers.

RELEASED ON BOND

In Nashville, Tenn., 75 persons, nearly all students, arrested after three fights broke out during a sit-in demonstration in a downtown variety store, were released on $100 bond each late Saturday night despite their earlier announced intensions to remain in jail over the weekend.

They came out of their cells after college officials personally appealed to them. They face charges of disorderly conduct and loitering.

Nashville police had to halt auto traffic in one block of the downtown area when violence flared between Negro demonstrators and white hecklers.

MIMEOGRAPHED LEAFLETS

The demonstrators carried mimeographed leaflets outlining how to accomplish the sit-in.

Paul Laprad, 23, Delphi, Ind., a white student at Fisk University and one of the demonstrators, said the leaflets were drawn up by students at various Nashville schools, but he declined to name the schools. The leaflets stressed nonviolence.

The leaflets tied in with an announcement by the Congress of Racial Equality in New York that it is acting in an advisory capacity in the Southern demonstrations.

James Robinson, executive secretary of CORE, said his group plans to hold workshops to advise local groups how to conduct nonviolent demonstrations against segregation.

He predicted that the Negro student sit-ins at Southern lunch counters will continue for some time, and that sympathy boycotts will grow in the North.

U.S. Sen. Richard B. Russell (D-Ga) denounced the demonstrations as being politically motivated. He said efforts are being made to spark race riots in the South in hopes of winning support for passage of civil rights legislation.

Negroes Close Eating Place

35 Demand To Be Served At County Courthouse In Montgomery

By DONALD F. MARTIN
United Press International Staff

MONTGOMERY, Ala., Feb. 25.—Thirty-five young Negroes closed the white snack shop at the County Courthouse Thursday by demanding to be served coffee and doughnuts.

The white proprietress, Mrs. Mary Pugh, closed the establishment and told the Negroes they were trespassing. The Negroes quietly filed out of the lunchroom into the well-lighted first floor corridor of the new million-dollar building.

Montgomery County Sheriff Mac Sim Butler, brandishing a two-foot blackjack, ordered the Negroes, many of them carrying textbooks, to line up against the wall. "If you disrupt the work of any of these offices," Butler warned, "there will be trouble. There will be arrests."

Each Group Stopped

The Negroes left about 45 minutes later. No arrests were made and the Negroes dispersed quietly, some on foot and others in cars.

The state highway patrol stopped each group in a car and demanded identification. Patrolmen also took pictures of the Negroes as they stood in line in the building.

The Negroes did not attempt to enter any other white eating establishments in the city where Negroes launched a bus boycott four years ago which led to a United States Supreme Court order integrating all public transportation facilities in the county.

Alabama Gov. John Patterson immediately ordered the president of the state-supported Alabama State College for Negroes here to expel any student who participated in the protest demonstration.

Patterson said if any students who took part in the sitdown were not expelled he would order the state board of education to dismiss them.

Didn't Break Law

The Negroes refused to identify themselves but said they were from Alabama State.

A courthouse official said the Negroes did not break any law by entering the new building because it was constructed with public funds. But, he said, they violated state and municipal laws by asking to be served in a place where white people eat.

Police With Clubs Arrest 10 Persons

CHATTANOOGA, Feb. 25.—(UPI) — Club-toting policemen laid down the law Thursday with a show of force that stymied further demonstrations erupting from Negro efforts to sit at white-only lunchcounters.

Police arrested 10 whites and Negroes Thursday afternoon and hustled them away from the downtown section where a mob of 2,000 tangled Wednesday when Negroes sought to renew attempts to get food service at five-and-dime stores.

Officers said one of the six Negroes arrested was armed with a knife. The Negroes and three white teenagers were charged with disorderly conduct and a white man was charged with drunkenness.

Observers reported light shopping activity at the four variety stores on Market Street where torrents of water from fire hose broke up teeming crowds Wednesday when Negroes tried to carry on a series of lunchcounter sit-down demonstrations that started last week.

If School Closed—

Birmingham Post-Herald

Capital Negroes Threaten To Seek 'Bama, AU Entry

Birmingham Ala.

Sat. 2-27-60

FROM PRESS REPORTS

MONTGOMERY, Feb. 26—Negroes demanding racial equality staged another protest demonstration here today, and answered the threat of reprisals with a warning of their own.

And they promised another demonstration tomorrow but declined to say where it might be. The Montgomery Courthouse, where they gathered yesterday and today, is closed on Saturday.

The students from Alabama State College said that if their school is closed as Gov. John Patterson said it might be, they will try to enroll at state-supported white colleges.

That admonition came first in a prepared statement, then later at a rally on the Negro college campus where students chanted, "if we can't go to Alabama, we go to Auburn." They meant Auburn University, one of the state's two tax-financed universities attended only by white students.

One student, who refused to identify himself, said the statement stated "if one student is expelled, the entire student body will resign" and try to enter the University of Alabama and Auburn University, both white schools in this deep South state.

Governor Informed

Harry Cook, the governor's press secretary, said Patterson had "heard about" the ultimatum. However, the resolution was not handed the governor before he flew to Cincinnati, O., for a travel show shortly after noon.

Cook said the governor was keeping in "close touch with the situation" through his legal advisor, Robert Bradley.

Returning to the Montgomery Courthouse where a smaller number asked for service yesterday at the all-white lunchroom, several hundred Negroes demonstrated this morning in behalf of a fellow student charged with lying in an attempt to register as a voter.

The court took no official recognition of the protest, and the defendant, Harold Marco Stoutermire, pleaded guilty to an attempt to commit perjury. He was fined $100 and costs.

By agreement with Circuit Solicitor (prosecutor) William F. Thetford, the original charge of perjury which could have brought a prison term was reduced to the lesser offense.

Stoutermire was accused of falsely telling the board of registrars he had made no previous attempt to register for voting and had never been turned down.

Walk To College

Leaving the courthouse after Stoutermire's case was disposed of, the Negroes walked two by two back to the college some two miles across town.

On the way, one student was arrested on a charge of walking against a red traffic light. He refused to give his name to reporters, but Asst. Police Chief Marvin Stanley later identified him as Ernest Gladstone Washington.

The arresting officer handed Washington a ticket with instructions to pay the fine or appear in court. The youth told newsmen he would pay it.

Returning to the college, the students gathered in a campus rally which ended abruptly after President H. Councill Trenholm stepped outside his office and spoke to one of the leaders.

Reporters were unable to hear what Trenholm said, and he was unavailable for comment afterward.

The governor had called the Negro college president to his office following the courthouse restaurant demonstration yesterday and ordered him to expel any student found to have taken part.

Later, the chief executive threatened to cut off college funds, by legislative action if necessary, if the student protests continue.

Trenholm said he had "no alternative" but to comply with Patterson's directive which followed his statement, "the citizens of this state do not intend to spend their tax money to educate law violators and race agitators . . ."

Meanwhile, a Negro leader said there was a movement to organize a huge protest march on the capitol if any students are expelled.

The Rev. Uriah J. Fields, president of the Montgomery Restoration and Amelioration Assn., said he understood the march would take place Monday if the students are expelled.

"There may well be 8000-10,000 people in the march," Fields said, because the movement was recruiting high school as well as college students.

Fields said his group felt "it is regrettable the governor has attempted to make Dr. Trenholm responsible for student behavior."

Meanwhile, the courthouse grill remained closed today, and the Negroes stayed away.

At the state capitol, employe-operated cafeterias were closely guarded to keep Negroes out, but the college students made no attempt to eat there.

Armed Guards

Armed guards were posted at each entrance to the State Highway Dept. Bldg. and at the door leading into the basement lunchroom. Other guards were stationed at the doors of cafeterias elsewhere in the capitol.

Although the lunchrooms are located in the capitol, they are operated by the State Employes Assn. Only state employes with identification cards were admitted to the cafeterias.

State Highway Patrolmen, some equipped with walkie-talkies, guarded the courthouse along with sheriff's deputies and city officers during the demonstration today, but there was no disorder.

The Negroes were allowed to stand by the wall in the corridor outside Circuit Judge Eugene Carter's courtroom, and as many of them as could be seated were allowed in the courtroom for the brief disposal of Stoutermire's case.

They were segregated from white spectators.

The threat of school integration brought back memories of Autherine Lucy's attempt to attend the University of Alabama in 1956. She was driven from the campus by a mob and later expelled by the University Board of Trustees for accusing school officials of conspiring with the mob.

Rally Held By Negroes At College

The Montgomery Advertiser

Montgomery Ala.

Sat 2-27-60

Earlier Gathering Jams Courthouse, Another Threatened

By JOHN COOMBES

Negro students of Alabama State College staged their second demonstration in two days in the Montgomery County Courthouse Friday morning.

They threatened a third demonstration somewhere in the city Saturday. They would not say where.

About 250 men and women students took part in the peaceful protest at the courthoue. They then marched back to the college for a campus rally where they chanted "Can't Go To Alabama, We Got To Go To Auburn."

That chant was, apparently, a response to Gov. John Patterson's order to Dr. H. Councill Trenholm, president of the college Thursday that students taking part in demonstrations be expelled.

OUTSIDE AGITATORS

Trenholm conferred with state officials about the demonstrations Friday for the second day running. He told reporters that Thursday's incident at the courthouse snack bar was the work of outside agitators.

"The plan was not conceived on the college campus," he said.

Trenholm said Friday's march on the courthouse was just a "coincidence" as far as he could tell and not related to Thursday's incident.

He said he had studied photographs of the Negroes who took part in the snack-bar demonstration at the courthouse Thursday when 25 Negroes had demanded service, and he had ascertained that "all but one or two were Alabama State students."

NOT EXPELLED

These students had not yet been expelled "because I want to discuss the matter further with the governor," Trenholm said.

The Negro students converged on the Montgomery County Courthouse Friday morning in a gesture of loyalty to Negro student, Harold Stoutemire, charged in Circuit Court with perjury.

Stoutemire pleaded guilty to the charge of falsely telling the Board of Registrars he had never been turned down for registration before. The original perjury charge could have netted him a prison term, but Judge Eugene Carter, by agreement with the circuit solicitor, fined him $100 for attempted perjury.

READING BOOKS

The Negroes arrived at the courthouse in one large group at 8:50 a.m. They lined both sides of the main corridor on the third floor and stood reading their textbooks in silence. When the courtroom was unlocked they filed in, filling one side of the chamber and overflowing into the aisles.

Court bailiffs moved them from the aisles and those without seats were sent out. About 50 of the Negroes remained standing in the vestibule on the Adams avenue side.

The disposal of Stoutemire's case was the signal for the Negroes to stand and leave.

Judge Carter paused in the business of the court, stood, and invited them to stay. Y'all might learn something," he said.

The Negroes then filed out of the building and formed a rough column for the march back to the college. As they lined up a girl student exhorted each of them that passed her to "observe all the laws."

The march set off in orderly fashion after one student was arrested for jaywalking at the junction of Hull and Adams streets. He was identified as Earnest Gladstone. He was given a ticket by a city policemen and said he would pay the fine.

Hand-Painted Signs Appear On Highland

Two hand-painted cardboard signs were nailed to trees on Highland avenue Friday, apparently in reaction to a Negro sit-down effort at the county courthouse Thursday.

In white paint, the sign said: "White people fire your nigger workers."

Citizens Council Asks For Fingerprinting

The Montgomery Citizens Council has demanded that "Negro agitators" be identified, fingerprinted and publicly exposed."

In a telegram to Police Commissioner L. B. Sullivan Thursday night, Chairman C. H. Lancaster Jr. said the council judged from the temper of calls received that "the white people of Montgomery are tired of racial trouble makers."

"We know that the Negro agitators are insisting on violence," the message continued. "The white people of Montgomery have a better weapon—economic retaliation."

The council also sent telegrams Friday to Gov. John Patterson and to Mayor Earl James and Commissioner Sullivan, congratulating them on their actions and public statements in the present situation. Both telegrams promised support of the Citizens Council in state and city opposition to integration efforts.

Solons Vote For Drive On Rights

Around-The-Clock Sessions Approved

To Crack Filibuster

WASHINGTON (AP)—The Senate voted 67-10 Friday to back up plans of leaders of both parties for around-the-clock sessions aimed at cracking a Southern filibuster against civil rights legislation.

Majority Leader Lyndon B. Johnson (D-Tex) said he had forced the vote because "I do not want to have the blood on my hands" if, as he put it, any accident should befall someone during nonstop sessions due to start Monday.

The vote was not a clear-cut test. The quarterback of the Southern forces, Sen. Richard B. Russell (D-Ga), called Johnson's maneuver "a straw man erected to be knocked down."

The vote came on the question of whether the Senate should meet only until 5 p. m. EST Monday instead of staying in session around the clock.

Johnson said he had made a motion to adjourn at that hour so that the majority of the Senate could express its will. Johnson himself voted against it.

VOTE BREAKDOWN

On the roll-call vote, 45 Democrats joined by 22 Republicans voted against the motion. The Southern senators split 8-8, with Russell among those opposing the motion. Two Republicans voted for it.

Johnson told the Senate it had been said the leadership would be responsible if an accident should befall someone in any 24-hour sessions. He said he hoped all senators could remain in good health but added he didn't want to take all the blame if this should not prove to be the case.

Southern forces earlier had adopted a new tactic in their fight against new administration-backed legislation to help guarantee that Southern Negroes can vote in areas where they say they are now illegally kept from the polls.

Sen. A. Willis Robertson (D-Va) announced he has called off hearings scheduled to begin next Tuesday by an appropriations subcommittee he heads on the annual money bills for the Treasury and Post Office Departments.

THREATENING ACTION

Southerners head several appropriations subcommittees. If others follow Robertson's example, their action would threaten leaders' plans to push the annual money bills through quickly in a drive to adjourn Congress before the July political conventions.

Russell, in explaining his vote against 5 p. m. adjournment Monday, said there is nothing to prevent him or any other senator from offering a motion Monday to adjourn at 4 or 5 o'clock or any other time. He said similar motions may be made from time to time in the grueling hours that lie ahead.

Sen. Spessard L. Holland (D-Fla) interpreted Johnson's motion as evidence he had "hit pay dirt" when he served notice Wednesday that the leaders would have to take responsibility for the "health and lives of so many."

LESS HAZARD

Johnson said he thinks there is less hazard to health by starting 24-hour sessions Monday, after two weeks of debate, than to wait until later when members would be more wearied.

The Republican leader, Sen. Everett M. Dirksen of Illinois, argued that members are not long back from vacations, are "refreshed in mind and body, full of exuberance," and fit for the scheduled dawn-to-dawn grind.

"This is the time to do it, rather than later," he said.

After the vote, Johnson said the plan was for the Senate to reconvene at 10 a.m. Saturday. However, he said his plans call for recessing about 6 or 7 p.m. Saturday.

32 Negro Students Are Convicted in Montgomery



Associated Press Wirephoto

Negro students from Alabama State College wait for court to open at City Hall in Montgomery. Thirty-two students were convicted for roles in anti-segregation demonstration.

MONTGOMERY, Ala., March 11 (AP)—The City court convicted thirty-two Negro college students, a former classmate and a faculty member today of charges growing out of an anti-segregation demonstration Tuesday.

A heavy police guard stood by to prevent any demonstrations at City Hall while the trial was in progress.

The thirty-two students at Alabama State College at Montgomery were convicted of disorderly conduct and refusal to obey an officer. So was the former student tried with them.

Judge Eugene Loe delayed sentencing. Those convicted could receive six months in jail and a $100 fine on each of the two counts. The faculty member was convicted of disorderly conduct and her husband of disobeying an officer at the jail when he tried to see his wife after her arrest.

Gred Gray of Montgomery, attorney for the defendants, told the court that the student body at Alabama State had agreed to return to class and stop the racial demonstrations.

Trial of five Negro students at predominantly Negro Philander Smith College at Little Rock, Ark., was set for next Thursday. The students were arrested Thursday after they refused to leave a variety store lunch counter during a demonstration by about forty-five classmates, police reported.

Austin, Tex., March 11 (AP)—About twenty Negro and white students at the University of Texas demonstrated today against segregation policies of the university toward athletics, drama and housing.

A mass demonstration will be held in the New York garment district May 17 to support Negro college students in Montgomery. It will be organized by The Committee to Defend Martin Luther King, Jr. the Negro clergyman who has sought to end segregation in the South.



Associated Press Wirephoto

PROTEST EXPULSION OF FELLOW STUDENTS: Alabama State College students marching yesterday at the institution at Montgomery. They stopped in front of main buildings to sing patriotic songs. Signs allude to demonstrators who were expelled.

ALABAMA STATE IS UNDER INQUIRY

Police Charge Faculty Can't Control Negro Students—Unrest Goes on in South

As racial unrest continued across the South yesterday, the police commissioner in Montgomery, Ala., recommended the closing of Alabama State College, a Negro institution.

Little Rock, Ark., joined the list of southern cities to experience a Negro demonstration to end segregation in eating places. Five of sixty Negro demonstrators were arrested when they filed into a Little Rock variety store and took seats at a white lunch counter.

New developments arose in the Carolinas, Georgia, Florida, Texas and Virginia.

Gov. John Patterson ordered an investigation at Alabama State after Police Commissioner L. B. Sullivan had protested that faculty members were unable to control the students.

Meanwhile, students at the state-supported college held another demonstration against segregation under the eyes of the police.

Official Charges 'Hate'

The Commissioner accused the college of turning out "graduates of hate and racial bitterness." He said H. C. Trenholm, president, and faculty had little or no influence over the actions or conduct of the students."

Montgomery officials barred the public from tomorrow's trial of thirty-seven Negroes arrested during a demonstration two days ago.

The State Police said another telephoned threat had been received at the Governor's mansion. The highway patrol there was reinforced.

Alabama State students began their demonstrations Feb. 25 with an attempt to eat at the white lunchroom in the Montgomery courthouse. Nine leaders were expelled. The others continued their protests, denouncing the expulsion order.

Little Rock's first sit-in ended without violence. Police Chief Gene Smith recommended closing the counter. Most of the Negroes left quietly, but five who refused were seized on charges of disturbing the peace.

In Columbia, S. C., Gov. Ernest F. Hollings warned that a Negro student demonstration planned in the capital Saturday would not be permitted.

Meanwhile, Gov. Luther Hodges of North Carolina said he had written college presidents enlisting their aid in curbing protest demonstrations against segregated lunch counters.

There was a brief verbal clash in Atlanta, when seven Negroes took seats in a white section of the Municipal Auditorium during a stage show. The police resolved the situation by designating the occupied section Negro.

Twenty-six Negro youths bearing anti-segregation signs marched silently through the business district of Huntsville in northern Alabama. There were no disturbances.

ORDERS PROBE OF ALABAMA'S NEGRO COLLEGE

Governor Acts After Sitdown Protests

By UNITED PRESS INTERNATIONAL

Alabama State college students marched in a new anti-segregation protest in Montgomery, Ala., Thursday and Gov. John Patterson ordered a "full investigation" of the Negro school.

The south's wave of lunch counter sitdown demonstrations reached Little Rock, Ark., scene of school integration violence two years ago. Police arrested a number of Negroes, who refused to leave an F. W. Woolworth company store. The store closed its lunch counter after 20 to 25 demonstrators appeared.

Urged College to be Closed

Gov. Luther H. Hodges of North Carolina, the state in which the sitdown movement began a month ago, said he does not believe the protests will "achieve the results they [Negroes] think they want." He said he has "no sympathy for any group doing something which a reasonable person can see will result in a breakdown of law and order.

The Montgomery, Ala., police commissioner, L. B. Sullivan, asked Gov. Patterson to close Alabama State college because of the tense racial situation in the capital. Patterson, in turn, ordered the state superintendent of education to determine whether the Negro school should be closed, and report on his investigation to the state board of education in a few days.

Students Continue Protests

The student protests have occurred almost daily since officials expelled nine Alabama State students for participating in a lunch counter demonstration at a snack shop in the Montgomery county courthouse two weeks ago.

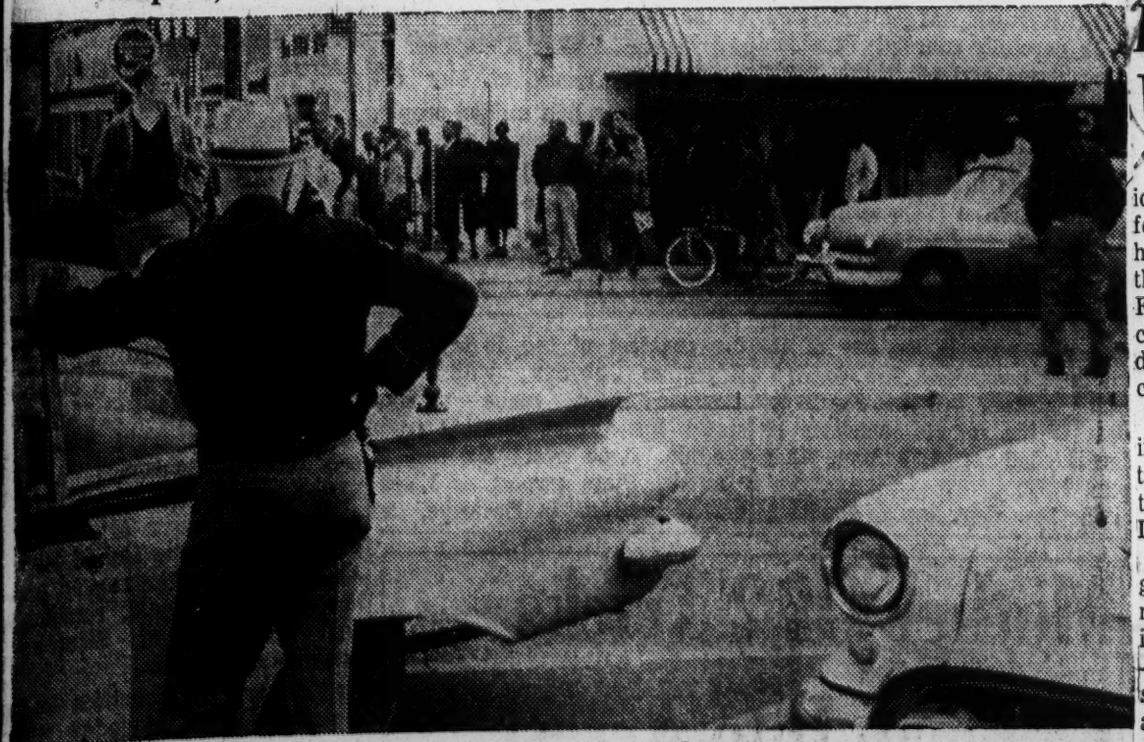
Police, highway patrolmen, and sheriff's deputies rushed to the campus Thursday and watched the demonstration in which Negro students marched two abreast around the campus, waving placards and signs. The students sang hymns and patriotic songs on the steps of each building on the campus.

Such demonstrations have been forbidden by Alabama State's president, H. C. Trenholm.



Photo by Mills Cowlin

WHITE MEN PATROL DEXTER AVENUE WITH BASEBALL BATS
Weapons, About 18 Inches Long, Used In One Incident Of Violence



CITY POLICEMAN WATCHES SIDEWALK WHERE SCUFFLE OCCURRED
Officers Arrested Tuskegee White Man Who Fought With Student

Dr. Trenholm Tells Students Of Implications At Stake

Dr. H. Councill Trenholm, president of Alabama State College for Negroes, said Saturday he had but little information about the student meeting at the Negro First Baptist Church, but had conferred with several of his students shortly before they left the campus.

"I tried to do whatever I could in a guidance way to advise them to act sensibly and to understand the full implications at stake," Dr. Trenholm said.

Dr. Trenholm said he was to give Gov. John Patterson a full report Monday on the Thursday incident when some 35 Negroes —most of them Alabama State students—sought service at the all-white snack bar at the Montgomery County Courthouse.

He said he had not yet taken any action toward expelling the students involved in the incident —as he was ordered to do by Gov. Patterson—until he could meet with the governor again and discuss "matters of procedure."

"It is my understanding that I have until Monday to complete the investigation here and report to the governor," the school president added.

Dr. Trenholm also noted that of the students who participated in Thursday's sit-down incident only four or five were campus students. The others were "day students" who do not live on the campus.

ALABAMA STATE COLLEGE

Dr. Trenholm Holds Parley With Students

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Brief Flurry Of Violence Erupts On Dexter Avenue

By RAY JENKINS
Alabama Journal City Editor

Whites and Negroes clashed on tense and crowded Dexter avenue Saturday in a brief flurry of pushing, fisticuffs, and clubbing.

The incident was touched off about 1:45 p.m. at the corner of Perry and Dexter when a Negro girl and a white man apparently brushed while passing.

The white man shoved the girl to the street. She bounced up and pushed the white man. At this point, Sonny Kyle Livingston, one of about 25 white men patrolling Dexter avenue with clubs, darted in and struck the girl from behind with a baseball bat.

Livingston dealt the girl a blow on the right side of the head with a crack that could be heard a half a block away. Although blood gushed from the wound, the girl was not knocked unconscious.

For about a minute, around a dozen Negroes and whites pushed and shoved until police, who had been standing nearby, rushed into the melee and broke up the fighting.

No arrests were made. The man who originally scuffled with the Negro girl disappeared before newsmen could ask his name.

The girl identified herself as Christine Stovall. She said she was not a student.



Staff Photo by Charles Moore

TEMPERS FLARE DOWNTOWN IN ONLY INCIDENT OF TENSE AFTERNOON
Sonny Kyle Livingston (Right, With Bat In Hand) Draws Back To Hit Negro Woman

Two Demonstrations Staged By Negroes

By JOHN COOMBES
Of The Advertiser Staff

Negro college students held mass demonstrations in Montgomery and in Tuskegee Saturday, with one incident of violence touched off in the explosive atmosphere of each city.

A Negro woman, not a student, was hit in the head with a small baseball bat by a white man at the corner of Dexter avenue and Perry street after a mid-street pedestrian bumping. Students of Alabama State College met at the Negro First Baptist Church, but returned to the college afterward instead of marching downtown.

In Tuskegee a line of Tuskegee Institute students marched two abreast into the city square, carrying placards asking for "equality, not iniquity," and similar slogans.

A white man and a Tuskegee student were arrested after a brief scuffle for disturbing the peace.

The Alabama State students petitioned Gov. John Patterson to reconsider his order to their president to expel the students who staged a sit-down strike Thursday in the snack bar of the Montgomery County Courthouse.

LEADER IDENTIFIED

The petition, released after a four-hour mass meeting in a Montgomery church, made no mention of the students who took part in a second demonstration at the courthouse Friday morning, when 250 of them lined the corridors of the courthouse, and packed the circuit courtroom while one of the number was tried for attempted perjury.

The students asked the governor "to study the problem with an open mind," and to authorize Dr. H. Councill Trenholm, president of the college, to settle the issue with them.

For the first time since they began their protest demonstrations Thursday, the students identified one of their leaders. His name appeared on the petition as Bernard S. Lee "student representative." He was referred to as president.

The mass meeting was held at the Negro First Baptist Church on Ripley Street. The Rev. Ralph D. Abernathy, pastor of the church said the students had been allowed to meet there as President Trenholm had asked them to discontinue their campus meetings.

The meeting was the only student move made in Montgomery, although on Friday they had threatened a third demonstration in the city the next day.

But the mounting racial tension of the last two days exploded in the downtown area of the city Saturday morning and at least one incident was reported.

A group of white men, armed with small baseball bats concealed in paper sacks, patrolled Dexter avenue. They maintained their vigil until the stores closed at 6 p.m. They appeared after a rally by white men at Paterson Field earlier in the day. The men had gathered at the Rebel baseball park "to stand by if needed." The rally broke up after city and state police arrived on the scene and questioned the men.

In the downtown area a 22-year-old Negro woman was struck on the head by a white man carrying a small baseball bar. Her hand bled freely but she was not hospitalized.

She said she brushed against a white man as they were crossing crowded Dexter avenue. She said he called her an insulting name and pushed her to the pavement. She got up and pushed him. Another white man rushed up behind her and struck her on the head.

The three Negro women said they were assaulted by two white men while standing on the sidewalk in front of H. L. Green's during the afternoon.

One of the complainants, Mildred Larkin, 761 Claremont Ave., said the unprovoked attack occurred at about 4:45 p.m. The other two were Doris Harris, 1933 Dixie Ct., and Coreen Joseph, 1126 Roanoke St.

Police were told the white men walked over and slapped them with the palms of their hands. The Larkin woman said the assailants apparently hit "us for nothing."

A 14-year-old Negro boy, Eddie Barnes, who listed an address on 851 Gray St., accused two white men in a drug store on Court Square, of having hit him as he walked down the street.

The boy, according to police, is too young to sign a warrant on his alleged attackers, and a search for his parents, who would be able to sign the warrant, failed to turn up either his father or mother.

A tense crowd gathered in the drug store and outside on the sidewalk while the young Negro pointed an accusing finger at the two men who were having coffee at one of the fountain booths.

Both white men accused were taken to police headquarters and were later released. The incident allegedly took place about 7:30 p.m.

A dozen white people and Negroes then tangled in a brief shoving match. No arrests were made.

The Negroes at the mass meeting studiously avoided the downtown area after Abernathy addressed them and relayed reports of incidents in the city.

Frenzied applause announced the end of the meeting in the church, but the students formed

an orderly column outside and marched back to their college.

Abernathy advised reporters he had advised the students, and other Negroes to stay away from the downtown area because "a real state of terror had developed down there."

He said he was not advocating a boycott of the downtown area. He said he had received reports that Ku Klux Klansmen were beating Negroes downtown.

MET REPORTERS

"It will be our hope that the downtown merchants will solve the problem of the Klansmen. The only thing we can do is to stay in places where we feel safe and secure, in our homes, in our churches and in our schools," he said.

Representatives of the Alabama State student body headed by Lee met reporters after the meeting.

They refused to say whether or not they planned any more demonstrations in the city. They would not say how they had been authorized to speak for the students.

Lee refused to name the 13 men and three women members of the student body who appeared with him other than to say they were only a part of it.

In their petition to the governor the students said they went to the snack bar "not as hoodlums, but in the same manner and spirit in which other college and university students have done in other parts of the country."

It continued "We strongly feel that our conduct was not such that we should owe our college or state an apology. If our conduct has disturbed you or President Trenholm, we regret this, but we have no sense of shame or regret for our conduct."

It concluded "We have no desire for a prolonged and bitter struggle. But we shall not yield our rights and student destiny without an extreme effort to retain them."

Sullivan Receives No Report Of Incident

Police Commissioner L. B. Sullivan Saturday night said it was "news to me" when asked about an incident in which a Negro woman was reported hit with a bat by a white man in the downtown Montgomery area.

The commissioner, when told by The Advertiser of the incident about five hours after it occurred, said he had not heard of such occurrence.

Sullivan stated he had neither heard about the occurrence nor received a complaint about it.

He said:

"Neither I nor the Montgomery Police Department have received any complaints concerning any racial incidents occurring in Montgomery today. If such a complaint is made, it will be thoroughly investigated.

"The Police Department has been and continues to be under instruction to enforce the existing laws, maintain order and prevent violence.

"In so far as the plans of Abernathy and his NAACP rabble-rousing associates are concerned, I have no comment."

Beating Story Hoax, Commissioner Says

Police Commissioner L. B. Sullivan Saturday night said a Negro man who claimed to have been beaten by police and several white men appears to have been a hoax. Samuel Melvin Bowie was questioned in an investigation initiated by police on a report he had been clubbed with a rubber hose and slapped by two plainclothesmen assisted by three white men.

Detective J. D. Shows Saturday continued the investigation. He reported that the Veterans Hospital, where the Negro was taken, said there was no indication of the man having been beaten at all. X-rays failed to show any internal bruises, and externally, the Negro appeared untouched, the detective reported.

Statement Denies March Scheduled

Five young Negroes who claimed to be Alabama State College students brought a brief statement to The Advertiser office about 12:30 a.m. Saturday. The statement denied that any march on the Capitol is planned for Monday by students.

The five would not identify themselves, other than saying they were Alabama State students.

The text of the statement:

"The students of Alabama State College in reference to the released statement by the Rev. U. J. Fields, pastor of the Bell Street Baptist Church, 'The students will march on the state Capitol at noon, Monday, Feb. 29, 1960,' is irrelevant, repugnant and erroneous. The principles of his so-called organization are not in harmony with the objectives we seek. If there is a march on the Capitol, then the decision will be that of the students and the students only. This is purely a student movement and organization. Counsel will be sought from leaders of organizations that advocate the principles of true democracy. The Rev. Uriah J. Fields is not that leader—we want the city, state, nation and the world to know this."

Firemen Stand Ready To Spray Rioters

The Montgomery Fire Department is ready to "wet-down" any riots that may start from the Negro demonstratins, Fire Chief C. C. Strane said Saturday night.

Asked if he had been given special notice to be ready to use any fire equipment should a riot break out, Strane said, "We are always ready to be called in case police call us."

However, he added that spraying down with fire hoses has been used effectively in other cities to avert riots, and that "this fire department is able and ready to do likewise."

ALABAMA STATE COLLEGE, MONTGOMERY, ALABAMA
MONTGOMERY, ALABAMA



Associated Press wirephoto

SHERIFF MAC SIM BUTLER WARNS NEGROES TO KEEP HALL CLEAR

. . . Sheriff (with club) moved in after Courthouse incident

25 believed involved—

Negro sitdown hits Montgomery

Grill protest flares briefly at courthouse

BY ALLISON STANTON
News staff writer

MONTGOMERY, Ala., Feb. 25—A group of about 35 young Negro men staged a brief sitdown in the grill of the new Montgomery County Courthouse today.

They left without disorder when the grill was promptly closed, remained in a hall outside for about an hour, and then walked out of the building.

There were no arrests.

THE DEMONSTRATION was the first of its kind reported in Alabama, although they have been widespread in other Southern states. Tension over demonstration in Chattanooga, Tenn., touched off a riot which was quelled by fire hoses yesterday.

Atty. Gen. MacDonald Gallion revealed for the first time after the demonstration that such an incident had been anticipated in Alabama.

"We had conferences with the proper officials, both in Montgomery and Birmingham," he said. "We have plans already laid.

"We have given considerable thought in advance to everything we could conceive that would arise," he added.

HE DID NOT discuss the plans.

GOV. JOHN PATTERSON called on the president of Alabama State College to expel any student found to have had a part in the sitdown.

Several of the Negroes admitted that they were students at the Negro school here.

A deputy sheriff was seen taking a number of pictures of the Negroes while they were in the Courthouse.

MEMBERS OF the group would not tell reporters whether their demonstration was linked in any way with those in other states.

"We came here for coffee," was the only comment of one.

Sheriff Mac Sim Butler said no charges would be made against the Negroes as long as they remained orderly.

City police at first started to lead the Negroes outside. One officer remarked, "We've called the wagon for them."

HOWEVER, Police Chief G. J. Ruppenthal, arriving at the Courthouse, said it was a matter for the sheriff since the Courthouse was in his jurisdiction.

Only a handful of white spectators was attracted to the grill before it was closed.

Patterson advised Alabama State College President H. C. Trenholm if he found any of the students involved in the disturbances or breaches of the peace he should expel them at once from the college.

The governor directed Trenholm to make a full report to him of his investigation and action taken and further to warn the students that they would be expected to obey the laws of the state and the municipalities.

If Negro students were involved in creating disturbances and action isn't taken to expel them by the college authorities, the governor said he would call on the state board of education to take such action.

TAKE EXAMS

Pledge-Free Students Troop Back To Classes

By DICK HINES
and BOB INGRAM

Negro students of Alabama State College, released from their boycott pledges, tooped back into classrooms Thursday afternoon to take their final examinations.

An estimated 700 students—almost half of the enrollment at ASC—had promised at a mass meeting Wednesday night to stay away from classes in protest to the expulsion of nine of their anti-segregation leaders.

But Dr. H. Councill Trenholm, college president, said students met early Thursday afternoon and leaders "released them from their pledges."

Near normal attendance followed, and Dr. Trenholm said reports from teachers indicate that about 90 per cent of the students took their quarterly exams.

But whether the promised mass walkout would continue after exams are over and the new quarter starts Monday remained to be seen.

In a press conference Thursday morning student leaders of the demonstrations appeared to be in doubt as to their next move.

Asked if he thought the situation was quieting, Dr. Trenholm said wearily: "I hope so."

The mass meeting Wednesday night was called after the State Board of Education ordered the expulsion of nine of the 35 students who staged a sit-in demonstration at the "whites only" snack bar at the Montgomery County Courthouse.

Dr. Trenholm said letters will be written to each of the nine students to make their expulsion a "matter of record."

Thursday began on the campus with a mass demonstration. Some of the students carried signs which read "Democracy Died Today" and "1960—not 1860."

Dr. Trenholm said a large group of the demonstrators wound their way through the administration building and he attempted to stop them and urge them to return to classes.

With classrooms near empty, Dr. Trenholm called the students together for a mid-morning rally and appealed to them to back

(Continued From Page 1)

down from the promised walkout.

He said he explained to the demonstrators that it was "unfair to the other students to interfere with their studies" and that "democracy just doesn't proceed on that basis."

OTHERS RELEASED

About 12:30 p.m. he said, students met again in an assembly he did not attend. Trenholm said he was told that at the meeting, student leaders released the others from the boycott pledges they made the previous night.

In another development Thursday, the nine students who will be expelled effective Friday, along with some of the 20 other demonstrators who were placed on probation "pending good behavior," held a press conference.

Newsmen met with the group at First Baptist Church, Colored, of which the Rev. Ralph D. Abernathy, Montgomery Improvement Assn., president, is pastor.

Bernard Lee, one of the nine students expelled from Alabama State, was quizzed closely as to what the next move of the students would be. To all these questions he gave the same answer: "I can't answer that."

Lee had first read a prepared statement to the press in which he reviewed the developments here since last week and insisted that "we have broken no laws."

'FEDERAL' LAWS

He later conceded that the statement should have read that no federal laws were broken but that city laws against the mixing of races in eating places had been violated.

He also petitioned Gov. John Patterson and the Board of Education to "reconsider their decision" concerning the expulsion of the students.

Lee closed with a plea for "moral and financial help" from people througout the nation, declaring "we cannot fight this battle alone."

In the question-and-answer period that followed, Lee and the other students were given careful coaching by Abernathy.

Lee apparently muffed one question, as he reversed himself after a whispered conversation with Abernathy.

ABERNATHY WINCED

Lee had been asked what his personal opinion would be of the Alabama State students who did not join in the walkout.

"They know what their fate will be," he said.

Abernathy winced visibly and began whispering in Lee's ear. After a moment, Lee added a comment that "we will hold no grudge against them, no attacks will be made on them."

On another point, Abernathy suggested that the Board of Education had "arbitrarily" expelled some of the students because they were from out of state.

"I know for a fact that some of the students from Alabama were not expelled although they were much more active than those from outside the state," Abernathy said. "I feel that the residence of the students had some particular bearing on the action of the board."

Five of the nine students expelled listed out-of-state addresses alghouth three of these were born and reared in Alabama before moving out of state.

If Alabama State College should close, a $3 million plant will be idle. The last assessment by state examiners fixed value of buildings, equipment, library books, and other items at $3,073,159.04.

The appropriation by the Legislature to the school for fiscal 59-60 was $1,078,411.

Out-of-state students at the school pay $10 more per quarter than in-state students. The in-state pupils pay $42 per quarter; the out-of-state, $52.

Student Leader Has 'Fair' School Record

Short, bespectacled Bernard Lee of Norfolk, Va., appears to be the dominant figure in the anti-segregation activities on the Alabama State College campus.

But effective Friday, Lee, along with eight other students will be expelled from school.

Their expulsion was ordered by the State Board of Education.

Records at school show Lee is 25 years old and is attending school under the GI bill of rights. His Norfolk address is 1327 Otter St. but he lives in Montgomery with his wife's parents, at 608 Kruse St.

He is a sophomore and is majoring in secretarial education. Records show his scholastic record at the college has been "fair," according to Dr. H. Councill Trenholm, college president.

He is a transfer student from the Norfolk Division of Virginia State College, which he attended in 1957-58. He also has some service credits under USAFI.

Dr. Trenholm said he could not recall if Lee ever took part in any particular activities and as far as he knew, he had not been previously disciplined.

Ten Students Hauled In, Too!

Cops: Arrest Shuttlesworth After Birmingham 'Sit-Ins'

(Courier Press Service)

BIRMINGHAM, Ala. — Several hours after 10 Daniel Payne College students were arrested for "sit-ins" at white downtown five-and-10 stores, city detectives went to the home of the Rev. F. L. Shuttlesworth, nationally known integration leader, and arrested him on charges of giving false information to the police.

Rev. Mr. Shuttlesworth, 38, head of the Alabama Christian Movement for Human Rights and Courier columnist, was held in jail overnight in an isolation cell. He was released on $300 bond early Friday.

The 10 students were also held in jail overnight and released Friday afternoon on $300 bond each, charged with "trespassing after warning."

The students held a meeting at Rev. Mr. Shuttlesworth's church Thursday night and another on Friday night. Trials for them and the militant minister were set for 7:30 P. M. on Monday of this week.

IMMEDIATE inference here was that police thought Rev. Mr. Shuttlesworth was behind the student "sit-ins."

He told The Courier: "The students planned it. They carried it out. They met at my church and they can meet there again and again. I will put off any meetings to let them use it."

Rev. Mr. Shuttlesworth has been arrested several times before during the course of his four-year fight against segregation in this hard-core city.

The police charge grew out of a report given by Rev. Shuttlesworth six or eight weeks ago when a Negro man said some whites had attempted to castrate him as was done to another Negro here several years ago by white Klansmen. The police said their probe proved the report was false. "If that was true, then they could have, or should have arrested me several weeks ago," Rev. Mr. Shuttlesworth told The Courier.

A prisoner in the jail during his incarceration told the minister: "'Bull' Connor's got you in so he can sleep tonight." This was after the Daniel Payne protesters had also been put in jail.

At the Woolworth store, two of the students were being served after they sat down, The Courier was informed. This was before police arrived. A customer (white) called the police.

Shuttlesworth Fined, Given 6-Mo. Jail Sentence

Birmingham, Ala., Apr. 4. — Rev. F. L. Shuttlesworth, Negro integrationist, Monday night was convicted of giving false information to city police and sentenced to pay a fine of $100 plus costs and to serve 180 days in jail.

Shuttlesworth was brought to trial in recorder's court before the cases of 10 Negro students accused of disorderly conduct during sit-down demonstrations at five downtown stores were called.

The Negro integration leader and Rev. Charles Billups, Negro, also had to face charges of aiding and abetting the demonstration.

Tom Reeves, a white Birmingham-Southern ministerial student was charged with intimidating a witness and vagrancy in connection with the demonstration but his trial was postponed until next week.

5 EATING PLACES INVOLVED

Birmingham Police Jail Negroes After Sitdown

BIRMINGHAM (AP)—Negro college students took seats at five eating places in downtown Birmingham Thursday and demanded service. Police rounded them up in a matter of minutes. There was no violence.

The eating places—lunch counters in three variety stores and restaurants in two department stores," said Shuttlesworth, pas-stores—closed down immediately tor of Bethel Baptist Church. then re-opened after police took **PASTOR ARRESTED**

the Negroes away. A few hours after the sitdowns

Patrons of the stores — both white people and Negroes — watched with interest but there was no indication of excitement It was the same on the street corners when police frisked the Negroes for arms and loaded them into cars.

Ten Negroes, all students at Negro colleges in Birmingham, were jailed on charges of trespassing after warning.

Police Commissioner Eugene Connor, standing on a street corner while police brought a pair of Negroes out of one of the stores, said:

"That was quick, wasn't it? That's the way it's going to be from now on. We're not going to put up with this sort of thing in Birmingham. It looks like I've been police commissioner long enough for Negroes to have learned I'm not going to put up with this kind of carrying on."

The Rev. F. L. Shuttlesworth, head of the Alabama Christian Movement for Human Rights, a Negro organization, said students at the colleges had set a meeting for his church Thursday night to plan future action.

"These arrests may well lead to economic retaliatory action by Negroes against downtown with the officers.

Outside the police searched the Negroes at the curb, then put them in a police car and took them away.

The procedure was about the same at the other stores.

Within 30 minutes after the sit-down started, all was back to normal except for the number of police motorcycles patrolling the two-block area that contained the five stores.

An official of one of the department stores gave this account of what happened:

"They came in and sat down at a table and I went over and asked them what they wanted. They said they wanted coffee. I asked them their names. About this time the police came in and took them out. There was no trouble."

Waitresses in the restaurant said the few white patrons got up quietly and left when the Negroes seated themselves.

The manager of one of the variety stores said:

"It was over before I knew anything was happening. The first I knew of it was when I saw four policemen walking toward the lunch counter. Then they took the Negroes out and it was over."

WITHIN THE LAW

The city ordinance under which the Negroes were arrested makes it unlawful to go on the premises of another and to remain on the premises after being warned not to stay. The law makes no mention of race.

Conviction carries a maximum penalty of six months in jail and a $100 fine.

Birmingham also has a city ordinance prohibiting white persons and Negroes from eating in the same room unless separated by a partition extending from the floor up at least seven feet. Also, under the ordinance, there must be a provision for separate entrances.

ALL IDENTIFIED

Police identified the Negroes as Roosevelt Westmoreland, 20, of Adamsville, Roy Hutchinson, 20, of Brunswick, Willie Willis, 20, of Adamsville, Robert D. Sanders, 19, of Powhatan, William West, 23, of Mount Hope, James Gober, 23, of Marietta, Ga., James Davis, 18, of Birmingham, Jessie Walker, 23, of Birmingham, Robert King, 20, of Greensboro, and Robert Walker, 19, of Mulga.

Officials of Daniel Payne College for Negroes here identified all but Walker as students at the college. Shuttlesworth said Walker was a student at Miles College, another Negro school in Birmingham.

Department stores involved in the sitdown were Loveman's and Pizitz. The variety stores were Newberry's, S. H. Kress and Co., and F. W. Woolworth Co.

Negroes indicate desire to discuss sit-ins with mayor

Three Negroes appeared in Mayor James W. Morgan's office shortly before noon today and indicated they wanted to talk about lunchcounter demonstrations in Birmingham.

However, they would not say specifically for what reason they wanted a "conference" with the mayor.

Mayor Morgan was out to lunch at the time.

Although they refused to identify themselves, newsmen identified one as Jesse Walker, 23, of 117 Bolin-st.

Walker was arrested in connection with a lunchcounter demonstration at Woolworth's here last March.

Birmingham Police Hold Shuttlesworth, Assistant

BIRMINGHAM (AP)—Two integration leaders were arrested here Saturday in connection with Thursday's lunch counter demonstrations, police reported.

Detective Capt. Ben Walker said they are the Rev. F. L. Shuttlesworth and the Rev. Charles Billups, Walker said they were surrendered at police headquarters by their attorneys.

Walker said Shuttlesworth and Billups are charged with aiding and abbetting and vagrancy. They were placed in city jail.

Shuttlesworth, 38, is president of the Alabama Movement for Christian Rights, which came into being when the National Assn. for the Advancement of Colored People was outlawed in Alabama several years ago.

Shuttlesworth was arrested Thursday shortly after Negroes staged sit-down demonstrations in downtown eating places, but police said that arrest had nothing to do with the demonstrations.

He was charged with giving false information to police. Detective C. L. Stevens and C. L. Pierce said the false information charge against Shuttlesworth stems from a report he gave police last month that a Negro had been muitlated by white men.

Police said the Negro involved told them he was injured in a fight with other Negroes.

Ten Negroes were arrested Thursday and charged with trespassing after warning in connection with the demonstrations. All were freed under $300 bond.

Shuttlesworth had been free under $300 bond on the false information charge until he was rearrested Saturday.

Shuttlesworth and the 10 Negroes face trial in city court Monday night.

Shuttlesworth is pastor of the Bethel Baptist Church here, and Billups, an aircraft worker, was identified as a part-time Baptist minister.

Birmingham Court Slates Sit-In Trials For Monday

BIRMINGHAM (AP)—Ten Negroes arrested in a demonstration at downtown eating places Thursday were released from jail on $300 bond each Friday.

All will be tried in Recorder's Court Monday night on charges of trespassing after warning.

The students were arrested minutes after they took seats at lunch counters in three variety stores and in restaurants of two department stores. None was served.

The lunch counters were closed temporarily but reopened later in the day. No incidents developed in connection with the demonstrations.

The Rev. F. L. Shuttlesworth, 38, Birmingham Negro leader, was arrested Thurday on a charge of giving a false report to police. He was released on $300 bond Friday.

Police said the Baptist minister's arrest had nothing to do with the demonstration. He will be tried in Recorder's Court Monday night.

Detectives C. L. Stevens and C. L. Pierce said the charge against Shuttlesworth stemmed from a report he gave police last month that a Negro had been mutilated by white men.

Police said the Negro involved told them he was injured in a fight with other Negroes.

Birmingham Negro Leaders Released From Jail On Bond

BIRMINGHAM (AP)—Two Negro integration leaders, charged with aiding and abetting a Negro sitdown demonstration last week were released from jail Sunday on $300 bond each.

The Rev. F. L. Shuttlesworth and the Rev. Charles Billups surrendered to police Saturday and were jailed on aiding and abetting and vagrancy.

The vagrancy charges which is not bondable, were dropped.

Their trials are set for Monday night in Recorder's Court.

Shuttlesworth was arrested last Thursday shortly after the demonstrations at five downtown eating places. He was charged with giving false information to police in an earlier incident unrelated to the sitdowns. He is free on $300 bond on that count and is to be tried at the same court session Monday.

Ten Negroes were arrested Thursday moments after they took seats at lunch counters in three variety stores and in two department store restaurants. All were released on $300 bond and are scheduled for trial in Recorder's Court Monday night.

Shuttlesworth, 38, is pastor of the Bethel Baptist Church here and president of the Alabama Movement for Christian Rights, an integration movement.

Billups, an aircraft worker, is a part-time Baptist minister.

Briefs filed on dismissals over sit-ins

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., Aug. 23—Briefs were filed this morning with the U. S. District Court both by attorneys for six Negro students seeking reinstatement to Alabama State College and for state officials named in the suit.

Judge Frank M. Johnson Jr. recessed court late yesterday after hearing witnesses for both sides. He asked for the briefs without indicating when a decision might be forthcoming.

The students, who with three others were ordered dismissed from the state-supported college following a sit-in move at a courthouse restaurant and later demonstrations, have asked the federal court for an injunction to prevent school authorities from interfering with their right to complete their education.

MEMBERS of the State Board of Education, Gov. John Patterson, ex-officio chairman, and Dr. H. Councill Trenholm, president at ASC, were named in the suit.

Negro Atty. Fred Gray called Trenholm, St. John Dixon—one of the six plaintiffs—and Newsmen Bob Ingram and Dick Hines of The Montgomery Advertiser as witnesses in an effort to prove the students' expulsion was based on the courthouse incident and that they had not been given an opportunity to present their side of the case.

Under questioning by Gray, Trenholm said he carried out the direction of the board in expelling the nine students and placing 20 others on probation. He further testified that he did not call the students in for conference.

Asst. Atty. Gen. Gordon Madison during cross-examination asked the president if the board's action in demanding expulsion of some and probation of others did not show discretion and not arbitrary action.

TRENHOLM replied that this was his impression.

Questioned about a conference with Gov. Patterson on the day of the courthouse incident, Trenholm denied that he had been ordered then to expel leaders of the sit-in movement. He maintained that the governor had asked him to make an investigation of the matter.

Patterson, first witness for the defense, testified that he had advised Trenholm of his duty to parents and students as well as the public to maintain order at the college.

The governor recounted events leading up to the board's action and said action was based upon the rule of the college, promulgated by the board, applying to all colleges in Alabama.

The state called Board Members Col. Harry Ayers of Anniston, E. W. Skidmore of Tuscaloosa, Robert Locklin of Mobile, Cecil Word of Scottsboro, J. P. Faulk Jr. of Geneva, J. J. Benford of Albertville and J. T. Albritton of Andalusia.

ALL MEMBERS testified they voted on their own convictions after receiving information as to activities of the students. Another board member, Chester Austin of Birmingham, was excused as a witness since he was not present when the board made its decision.

Supt. Frank R. Stewart, final witness called for the defense, pointed out under questioning that the board had acted under rules and regulations in effect since 1933 and applying to all colleges, white or Negro.

Students seek discussion, get 'brushoff'

BIRMINGHA M —Three young students, one of them a sit-in demonstrator here four months ago, met with Mayor James Morgan last week, with the intention of discussing segregated lunchroom seating.

They said they got an hour-long lecture on the progress of non - whites in Birmingham during the last 160 years, then were ushered out. The mayor declined to comment.

The three were Jessee Walker, 23; Clyde Carter, 29, and Alphonso Crawford, 21, all of Birmingham.

Walker was one of 10 colored persons convicted of trespassing after warning following a sit - in demonstration at five downtown eating establishments last March. Each was sentenced to 180 days in jail and fined $100. All posted appeal bonds.

"The mayor said he would listen to our program, after he told us of the progress the race has made in Birmingham in the last 100 years," said Carter.

Carter said when he and his companions started to outline their program, they were asked to leave by the mayor's executive secretary.

Ask Ike to intervene

American

WASHINGTON

Three nationally known civil rights leaders called on the Federal government this week to intervene in the "reign of terror" now underway in Montgomery, Ala.

The calls for intervention were made by Roy Wilkins, NAACP executive secretary; Dr. Martin Luther King, originator of the passive resistance techniques in America, and Rep. Charles C. Diggs Jr., Michigan Democrat.

Wilkins, in a telegram to President Eisenhower, Mar. 10, said:

"The NAACP is informed that colored citizens in Montgomery, Ala., are suffering arbitrary deprivation of their rights in a climate of terror.

"Police have ignored the call of a Montgomery daily paper for arrest of the man whose published photograph shows him in the act of attacking a colored woman with a baseball bat.

"Freedom of speech and assembly and of peaceful redress of grievances all have been ruthlessly suppressed by Alabama authorities from top to bottom, down to local constables. Colored Alabamians are defenseless in their own homes and city before Nazi - like oppression.

"In their behalf, we appeal to you, as chief executive for relief and redress through investigation by appropriate Federal agency and through increased support for adequte civil rights legislation now pending in the Congress."

* * *

PRESIDENTIAL PRESS secretary James Hagerty told the AFRO Saturday that the President has received the wire and it was being "looked at."

Hagerty complained that the telegram had been "released to the press before it arrived here."

Congressman Diggs Jr. wired U.S. Attorney General Rogers asking for an immediate investigation of reported police - state methods and abuse used against colored citizens in Montgomery, Ala.

He asked the Attorney General to determine whether civil rights of colored citizens in that community are being violated in the context of present Federal statutes.

Charging that local law enforcement agencies are helping to create an atmosphere of tyranny and terror, the Congressman said the objecencies seems to be to prevent peaceful assembly of students and other people interested in non - violent protest demonstrations against the denial of civil rights.

The full text of Congressman Diggs' telegram read:

"Extremely urgent that you initiate an immediate investigation in Montgomery, Alabama to determine if the civil rights of citizens of that community are being violated in the context of Federal statutes. Local law enforcement agencies are helping to create an atmosphere of tyranny and terror through police state methods.

"The objective of these agencies seen to be to prevent peaceful assembly of students and other people interested in non - violent protest demonstrations against the denial of civil rights. Students are being cursed, harassed, beaten and arrested either on trumped up charges or charges representing a distorted interpretation of disorderly conduct and disobeying a police officer.

"Parents who have made inquiries about arrested students have been subjected to all manner of abuse. Newspaper reporters interested in getting the facts for objective reporting have also been subjected to varying degrees of maltreatment. The situation is deteriorating rapidly and has the potential for bloodshed despite the non -violent approach on the part of colored citizens.

"I am at present investigating reports that Montgomery has been classified as off limits to colored airmen by the Commanding Officer of nearby Maxwell Army Air Base.

"I cannot urge you too strongly to move with dispatch to prevent any further abuse or violence being done."

* * *

EARLIER, DR. MARTIN LUTHER KING said, in a wire to Eisenhower, "Gestapo - like methods are being used by police and city authorities to intimidate colored persons."

Dr. King specifically charged that police launched "an incredible assault" on Alabama State College students. He also accused police of "tapping telephones and disconnecting telephone lines of colored leaders."

King asked the President to "take immediate action in your name" to end what he called a "reign of terror."

Part of his statement read:

"Less bloodshed stain the streets of America, we ask that the American people through you be made aware of the brutal and flagrant violations of Constitutional rights.

"We feel this terror which grips a whole community in an American city violating elementary constitutional rights requires immediate federal emergency action."

Mr. Wilkins also sent telegrams to U.S. Senators John J. Sparkman and Lister Hill, both States righters, asking them to "demand that officia of the State of Alabama and the City of Montgomery act promptly to protect colored citizens there from terror and physical attack."

Wilkins concluded "if states refuse to protect the rights of citizens the Federal Government must do so."

A Modern Martyr To Cause Of Integration

The Call, Kansas City, Mo.

By John J. McDavitt Jr.

MONTGOMERY, Ala. — (UPI) — A young white minister sentenced to chop wood and cut grass for trying to integrate the dining room of a white hotel compared himself yesterday to one of the early Christian martyrs.

"I consider myself in approximately the same situation as early Christian martyrs who were put to death for refusing to put incense on the statue of the emperor," the Rev. Ralph Edwin King, 23, of Boston, said in a jail cell interview.

"We refused to put a pinch of incense on the idol of segregation," he added. "When laws are evil as these in Montgomery one has the right, the moral obligation, to disobey them. We must take the situation in our own hands."

King, a native of Mississippi, was fined $200 and sentenced to 10 days on the wood pile Wednesday for demanding dining room service for himself and Elroy Embry, 33, Negro, at the Jefferson Davis hotel. Embry got the same sentence, and the two cut grass and chopped wood together at city jail.

King had been fined $100 and $43 in costs two hours before his arrest at the hotel for an earlier action in taking part in an integrated luncheon at a Negro cafe.

Although King said he classed himself with the early Christian martyrs, he also denied any attempt at martyrdom.

"I'm not enjoying it here. I'm tired. I'm not used to hard labor," he said. "The guards have cursed me, and they told the other prisoners I am a 'n***r lover.'"

He said the attempt at service in the hotel dining room was "all my idea" because "a restaurant serving a Negro and a white together would be something good here."

Two men start sentences for mixing attempt

The Birmingham News

Birmingham, Ala.

MONTGOMERY, Ala., June 9— (AP)—A white minister and a Negro have begun serving 10-day jail terms after their second conviction for trying to eat together in racially tense Montgomery.

The Rev. R. Edwin King, 23-year-old theology student at Boston University, and Elroy Embry, Montgomery Negro, were led away to jail yesterday. They were also fined $200 and costs each.

Their attorney said they probably would appeal the city court convictions on charges of trespassing and refusing to obey an officer. They have five days in which to appeal.

AN ATTEMPT by King and Embry Tuesday to dine at a downtown hotel resulted in the first jail terms imposed since a series of racial incidents started here three months ago. Defendants in earlier trials got off with fines.

In sentencing them, City Judge Eugene Loe told King and Embry their latest integration attempt was "a calculated deal . . . An act committed probably in hope you would get arrested and get some notoriety. . . ."

Loe said they deliberately provoked trouble when they demanded service in the white-only coffee shop.

Less than four hours before that incident, King and Embry and six other Negroes had been fined $100 for disorderly conduct in dining with 12 other white visitors in a Negro cafe here March 31.

Negroes Get Maximum Sentences

The Talladega Daily Home

Talladega, Ala.

BIRMINGHAM, Ala. — (AP) — Twelve Negroes have been convicted and given maximum sentences in connection wthi demonstrations at downtown eating places last week.

Recorders Court Judge William Conway Monday night levied fines of $100 and 180 days in jail on each conviction.

All posted $300 appeal bonds.

Ten of the defendants are college students and participated in the sit downs. They were convicted of trespassing after warning.

The other two—both ministers—were convicted of aiding and abetting the demonstrations. One of them, the Rev. Fred L. Shuttlesworth, local integration leader, was also convicted on an unrelated charge of giving false information to police.

Shuttlesworth, president of the Alabama Christian Movement for Human Rights, also appealed this conviction. It, too, carried a $100 fine and 180 day jail sentence.

Two Negroes, including one of the convicted students, were acquitted of attempting to influence witnesses.

Conway continued until next week the trial of Thomas C. Reeves, 23, a white ministerial student at Birmingham-Southern College. He also is charged with attempting to influence witnesses.

White, Negro Jailed in Dining Try It Again

MONTGOMERY, Ala. (AP)—A visiting white minister and a Negro who attended an integrated luncheon here six weeks ago were convicted Wednesday of trespassing after they tried to eat together publicly a second time.

The Rev. B. Edwin King, a white theology student from Boston University, and Elroy Embry, a Montgomery Negro, also were found guilty in city court of refusal to obey an officer. Each was fined $200 and sentenced to 10 days in jail.

King and Embry were arrested in a hotel coffee shop Tuesday after they sat at a table and asked to be served, then refused to leave when the hotel manager asked them to go. King was staying at the hotel.

A warrant charging traspassing was sworn out by the hotel manager. The other charge was filed by the arresting officers.

Less than four hours earlier, King and Embry and six Negroes had been convicted in state court of disorderly conduct charges growing out of an integrated luncheon at a Negro cafe here March 31.

Student, Negro Freed On Bond

Pair Released Pending Appeal

MONTGOMERY, June 10 (AP)—A Boston University theology student and a Negro he ate with in one restaurant and invited to join him in another went free on bond today after three days in jail.

The Rev. R. Edwin King, 23, and Elroy Embry, 33, were sentenced to 10 days and fined $200 each Wednesday after their second integration attempt. They were released on $450 bond pending appeal to state court.

During their time in jail, the Boston minister and the Montgomery Negro were assigned to work gangs chopping wood, cutting grass and moving chairs at the city auditorium.

The city frequently uses prisoners to chop wood from fallen trees. It is stored until Winter and given to needy families for firewood.

King and Embry were arrested in a downtown hotel coffee shop three days ago after they sat at a table and asked for service.

They were convicted in city court the following day on charges of trespassing and refusal to obey an officer.

Their bonds were signed today by two Negroes, John E. Davis, an electrician, and Rufus A. Lewis, an undertaker. Lewis is an officer in the pro-integration Montgomery Improvement Assn.

Minister, Negro Awaiting Bond

Pair To Appeal Sentence, Fine

MONTGOMERY, June 9 (AP)—A Montgomery Negro and a white minister from Boston whose integration efforts landed them in jail awaited release on bond today after filing notice of appeal.

Elroy Embry and the Rev. R. Edwin King were arrested in a hotel coffee shop Tuesday a few hours after they and six other Negroes had been fined for attending an earlier integrated luncheon.

King, a 23-year-old Boston University theology student, and his six Negro companions got off with fines for the first integration incident, but the hotel episode brought 10-day jail terms.

Besides being sentenced to jail, the white minister and Embry were fined $200 and costs by Judge Eugene Loe in City Court yesterday. They were convicted of trespassing and refusal to obey an officer.

They spent nearly 24 hours in City Jail before their attorney filed notice of appeal and started arrangements to get them out on bonds of $450 each.

In state court Tuesday, the two defendants along with the six others had been convicted of disorderly conduct and fined $100 and costs for eating together in a Negro cafe March 31.

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Possible Next Step

Southern Negroes Weigh Boycott

The Washington Post
By Julius Duscha
Staff Reporter

MONTGOMERY, Ala., March 6 — Southern Negro leaders may try to organize mass boycotts of variety stores that refuse to serve Negroes at their lunch counters.

Many white persons in the South expect the boycotts to follow the wave of sitdown demonstrations that is sweeping through the South.

And segregationists are threatening to fire Negroes who work for them if boycotts are attempted.

Should Negroes resort to boycotts to carry out their demands for equal treatment in variety and other retail stores a whole new economic front would be opened in the war on desegregation in the South.

Negro leaders have no plans to drop either their legal attacks on segregation or their legislative maneuvers, but many Negroes are convinced that more direct action such as boycotts is needed to speed up the slow pace of desegregation.

Hard to Make Stick

There is some hesitancy about trying to organize boycotts, however, because of the difficulty of making them effective even in a small city.

The boycott of white merchants in Tuskegee, Ala., which is 38 miles east of here, was extremely successful when it began three years ago but now is only partially effective. It has been the only mass boycott of retail stores in recent years in the South.

The Tuskegee boycott is a protest against gerrymandering by both local and state authorities to make it impossible for Negroes to have any voice in the operation of city and county government in the Tuskegee areas where they live.

The Negro Tuskegee Institute, which was founded by Booker T. Washington, is at Tuskegee.

The leaders of the boycott movement in Tuskegee point out that any protest begins to lag fairly soon after the immediate crisis which caused the demonstration has ended or after many persons begin to feel that the boycott will not accomplish its purpose.

No Better Place

The four Negro students in Greensboro, N. C., who began the sitdown movement on Feb. 1 may or may not have selected a dime store by accident as the site of their protest.

But Negro leaders as well as white moderates throughout the South agree that no better place than the dime store could be found for the Negroes to exert economic pressure.

"I think the dime stores are very appropriate places for these demonstrations," the Rev. Ralph D. Abernathy, a Negro leader in Montgomery, said last week. "The Negro people spend a lot of their money in the dime stores because they only have nickels and dimes."

It has been estimated by both Negro leaders and white businessmen that variety stores depend on Negroes for up to half of their sales in many Southern cities.

If the Negroes in a city like Montgomery, where they staged a successful bus boycott four years ago, decided to stop patronizing dime stores, the chains which operate most of the store would immediately feel the impact of the move.

Court Action Needed

But it is unlikely that a boycott without accompanying court action would desegregate any variety store lunch counters in the Deep South.

The management of the national chains which operate most of the stores would not resist desegregation, but the managers of the Southern stores do not want to set the pattern for a community where there is much opposition to desegregation or any sort.

In some Southern cities like Montgomery and states like Alabama there are specific ordinances and laws requiring the segregation of restaurants and other facilities open to the general public.

In some instances the law of transpass has been used by businessmen to keep restaurants and other facilities segregated. Under English common law, however, an innkeeper was required to accommodate all travelers for whom he had room.

The trend of Supreme Court decisions in civil rights matters indicates that the English common law rule would probably be followed if a lunch counter case ever moves through the courts.

Negroes Can Enter

Negroes are free to enter practically all retail stores in the South except restaurants operated by white persons.

As author Harry Golden of Charlotte, N. C., has pointed out, many of the difficulties begin in the South only when the Negro wants to sit down.

In some dime stores Negroes can purchase food only to carry outside to eat. In others Negroes may eat while standing at a counter reserve for them. In still others, including the dime stores in Montgomery, there are segregated lunch counters where seats are provided for Negroes as well as for whites.

The threat by segregationists to discharge their Negro workers if stores are boycotted undoubtedly would be carried out by many last-ditch defenders of segregation.

Both Dependent

But the white community is as dependent on Negro labor as the Negroes are dependent on retail stores operated by whites.

Last week signs which asked, "Have you fired your nigger?" were nailed to telephone poles on downtown Montgomery streets at night. The signs were believed to have been put in place by a small group of segregationists with little support in the community.

Such Negro leaders as the Rev. Martin Luther King, who organized the bus boycott in Montgomery, are anxious to direct the energies of Negro youths, who have generated so much momentum in the wake of the sitdown demonstrations.

The boycott is the one obvious direction in which the Negro leaders would like to channel the restless and angry Negro students of the South, who are as impatient as their elders are indulgent of the hopes and aspirations of today's extremely aggressive Negro youth.

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ALABAMA

LUNCH COUNTER- SIT DOWN



Associated Press Wirephoto

TENSION IN ALABAMA: Negro marchers, led by the Rev. Robert E. DuBose Jr., at left of center, and the Rev. Ralph D. Abernathy, left of Mr. DuBose, are met by white demonstrators as they leave church for prayer meeting on Capitol steps in Montgomery. March was halted by police. Negroes returned to their homes after whites were dispersed.

Negroes Dispersed In Alabama March; Attacked by Whites

By CLAUDE SITTON
Special to The New York Times.

MONTGOMERY, Ala., March 6—A riot was narrowly averted today as Negroes sought to march to the State Capitol here for a demonstration.

Patrolmen blocked the Negroes' path as the column crossed the street from a church a block from the site of the planned anti-segregation prayer meeting on the Capitol steps.

As they pushed the Negroes back to the church steps, a jeering mob of whites charged the marchers. Several blows were struck.

The police separated the two groups, and mounted deputies and fire trucks moved in to prevent further violence.

The Negroes, who numbered about 800, left the church in small groups for their homes after a crowd of 5,000 whites had been dispersed. A newspaper photographer was picked up by the police, but later released. There were no other arrests at the scene.

Racial tension ran high tonight in this city, the first capital of the Confederacy. Strengthened law-enforcement units patrolled the streets to prevent further outbreaks.

The trouble stemmed from a demonstration against a segregated lunch counter ten days ago by students of Alabama State College, a Negro institution. Later, a white man attacked a Negro woman with a miniature baseball bat. A thousand youths from the school sang the national anthem on the Capitol steps last Tuesday. Authorities made no attempt to interfere then.

Nine of the thirty-five students involved in the original demonstration were ordered expelled by the State Board of Education the following day.

Negroes from churches here were requested last Friday to meet today at the Capitol for a prayer meeting. Police Commissioner L. B. Sullivan said yesterday that his forces and those of the state and Montgomery County would disperse them if they attempted to hold the protest.

"Apparently it is the desire and purpose of the Negro troublemakers to further incite the tense situation that exists in Montgomery," he declared.

A crowd began gathering at noon in front of the Capitol. Some onlookers brought their wives and children. Others, in rough country dress, discussed loudly what they would do if the Negroes appeared.

High city, county and state officials began arriving at 1 P. M. Fifty highway patrolmen were stationed on the sidewalk, and city policemen took up positions along Dexter Avenue leading to the Capitol.

The protest had been set for 1:30 P. M., but the time passed with no meeting. However, small groups of Negroes began to arrive at the church, a block away.

As some passed a group of spectators on a corner, a white remarked loudly, "There's that nigger with the gold teeth."

A few minutes later, a police captain wearing a black leather jacket and white crash helmet, shouted toward the church:

"Can't you tell the time? It's 2 o'clock. Somebody loan 'em a watch."

A crippled white man with a cane stood on the sidewalk in front of the church. As the Negroes passed, he shifted the cane in an obvious attempt to trip them. After about ten minutes of this, the police told him to move on.

A few minutes after 2, two Negroes emerged from the church and took their places at the head of the line. They were the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Association, and the Rev. Robert E. Du Bose Jr.

The marchers paused briefly on the sidewalk until a traffic light had turned green, then moved out across the street.

"Let them come! Let them come!" shouted a group of whites as the police moved in to shove the demonstrators back toward the church. Jeers went up from the crowd, several persons rushed toward the Negroes.

The leaders stood firm, but some marchers bolted for the church steps. Several Negroes stumbled and fell. One or two were struck by the whites.

The police encircled the two ministers and moved back across the street with them to the church. Twenty mounted Sheriff's deputies placed themselves between the white crowd and the church. Some had rifles, others twirled lariats.

Two fire trucks roared up to the church. Firemen connected their hoses and pointed them toward the Negroes, now standing in seeming bewilderment on the church steps. The whites shouted, "Pour it on 'em!"

The Negroes began chanting, "We are not afraid!" Then they sang the anthem and the "Battle Hymn of the Republic." At first some whites hooted at the singing, then a few joined in.

The authorities forced the reluctant crowd to leave the area and a short time later the Negroes began leaving the church to walk home.

White House Picketer

WASHINGTON, March 6 (AP)—Howard University students picketed the White House today to urge action on civil rights legislation and support for southern Negroes protesting lunch-counter segregation.

About 250 young men and women marched on the sidewalk. The President is in Puerto Rico.

Arthur Clement, a senior, said all the marchers were students at Howard, a predominantly Negro university with an enrollment of 5,000.

He said the demonstration was student-inspired and had no connection with any organized racial group.

City Police Arrest 37 Negro Agitators For Demonstration

Plans Laid For Another Rally Today

By DICK HINES
And ARTHUR OSGOODE

Montgomery police, summoned by a Negro guard after students had roughed up a Negro buildings superintendent, smashed a demonstration attempt at Alabama State College Tuesday.

Thirty-seven sign-carrying students were arrested on charges of disorderly conduct and failure to obey an officer.

But student leaders in anti-segregation activities on the campus promised that another and larger demonstration will be held Wednesday and that police "will need trucks to haul us away."

EDICT ENFORCED

Police Commissioner L. B. Sullivan, who has so far enforced his no-demonstration edict, replied that if it takes filling up the jails to stop the threatened march, "we can accomodate them."

Approximately 600 students were urged to stand ready to be jailed or even killed in their "fight for freedom" during a meeting Tuesday afternoon at Beulah Baptist Church on Union street.

Also outlined was a "sit-in" campaign at the campus.

The church is located a few blocks from the campus of Alabama State College, where Montgomery police had earlier arrested 37 Negroes. The church was also the scene of the decision to boycott the college made last Friday night.

UNITED FRONT

Applause greeted exhortations Negro student leaders who



OFFICER DISPLAYS CONFISCATED SIGN
Ralph Hammonds Among Police Sent To Scene

played knives, according to B. Campbell, superintendent the buildings and grounds ASC.

After the group was arrested by Lackey, Boles and Johnson, some 40 other law enforcement officers arrived at the scene. They included other city police and county and state officers.

1,000 STUDENTS

An estimated 1,000 students — about half of the student body — lined up along the street in front of the administration building or stood in groups nearby as officers stood guard against further outbreaks.

"I met them at the phone booth (at the southwest corner of the intersection) and they surrounded me and pushed me some," he said. "One or two had knives," he added but said that aside from the pushing, he was not abused.

FIRED SHOT

An alarmed campus guard, identified as Robert Reynolds fired a shot in the air and police were summoned.

"When we arrived along South Jackson," Lackey said, "a section of the street and sidewalks were blocked from about 50 feet back from the intersection by Negroes."

"They were waving signs and when we came up, they started hollering, 'You can't put us all in jail,'" the captain related.

Members of the group were boisterous and were cursing, he said.

"I told the group they would have to disperse and quit that language," Lackey related. "I told them twice but they refused and became louder and louder."

"We then surrounded the group and placed them under arrest," he said. "We told them they would be charged with disorderly conduct and refusing to obey officers."

Lackey said some of the Negroes across the street on the campus were also making remarks but that police did not attempt to arrest them.

He said the group of 37 were "doing the agitating."

At Lackey's request, Campbell addressed the milling group and requested them not to block the sidewalks and streets.

E. Campbell said that some of the nine students who were expelled drove up in a green station wagon to the entrance of the campus about 10 a.m. They began calling students to them and handing them placards, he said.

The signs proclaimed "Alabama vs. Constitution," "Nine Down and 2,000 to Go," "Democracy Died March 4, 1960," and "We want Justice."

Campbell said he admonished the group, reminding them signs and marches had been banned on the campus by college officials and that the city had also outlawed demonstrations.

Faculty Member, Husband Among 37 Jailed By Police

A faculty member of Alabama State College and her physician husband were among the 37 Negroes arrested Tuesday following an abortive demonstration near the campus.

Most of the others were students but none was among the others placed on probation as a result of an earlier anti-segregation demonstration.

Mrs. Olean Underwood, 38, 638 Elmwood St., was arrested by city police when police broke up the demonstration about 10 a.m. Dr. Jefferson Underwood 37, was arrested later for disorderly conduct at the jail where he tried to see his wife.

Capt. D. H. Lackey said the physical education teacher displayed "loud, boisterous conduct and she appeared to be trying to arouse other students who were looking on."

All of those arrested near the campus were charged with disorderly conduct and failure to obey an officer. Bonds were set at $100 in each case and by Tuesday night, many had been released on bond. Attys. Fred Gray and Charles Langford were at the jail arranging for the bonds.

No date has been set for hearing on the charges in Recorder's Court. The earliest date the case could be heard would be Friday.

Names of the 35 arrested in addition to the Underwoods were listed by police as follows:

Joanna D. Davidson, 20, Tallassee; Dorothy D. Henderson, 20, Linden, Rosetta Price, 18, Georgiana; Theresa Maddox, 18, Kennedy! Rebecca Dixon, 18, 472 Ross St.; Dred Scott Arrington, 21, Room 8, State College; James Rickerson Jr., 23, 2712 Vandy Dr.; Milton R. Ivey, 18, room 202, Jackson Davis Hall, State College; Frank Edsol Hawkins, 21, Room 10, State College; Paul Joseph Adams, 19, 1401 Tuttle St.; Dolphus Hendrix, 20, room 320, Jackson Hall; Samuel Floyd, 19, 883 N. Union St.; Sylvester Walters, 20, 1104 Oak St.; James Stanley Haskins, 18, room 314, State College; Augusta Edward Grace, 19, room 314, State College; Emmit McRoy Horne, 23, room 26, State College; Charles Lewis Williams, 22, 1217 Payne St.; Eugene McAllister Morgan 21, 1507 S. Hall St.; Irvin Clarence Williams, 20, room 119, Jackson Davis Hall; Carroll Roy Walters, 19, 1325 Tuttle Ave.; Thomas Lee Calhoun, 25, 925 Key St.; Franklin Delano Riley, 19, 855 Grove St.; Claude Barby, 22, Room 2, State College; Durlin

urged a united front against guns, clubs, and tear gas."

Loudest applause greeted Bernard Lee, Norfolk, Va., student who was expelled last week as a ringleader in a demonstration in which a group of Alabama State students sought service in the snack bar at the county courthouse.

The student gathering was also addressed by the Rev. Solomon Seay, representing the Montgomery Improvement Assn., and the wife of MIA President Ralph Abernathy.

Lee announced plans for another student meeting Wednesday morning. He also announced that enough placards will be prepared so that Montgomery police "will have to bring out trucks" to carry away all the sign carriers.

He also promised that "by Friday, the North will respond. They will be 100 per cent with you, as they were during the Civil War."

FINANCIAL AID

Lee also alluded to offers of financial and scholastic assistance. He said he had been assured by out-of-state sources that "2,000 scholarships can be gotten."

Money, he said, "is coming in from all over the world."

Lee indicated that students will refuse to register at the college, and then await eviction from the campus.

Tuesday's arrests took place just off the campus at the intersection of Jackson and Thurman streets. Police Capt. D. H. Lackey and Patrolmen W. E. Boles and J. V. Johnson went to the area following an alarm by campus officials, one of whom was pushed by demonstrators.

Talladega GOP Leader Wires Ike Charges Of Racial Terrorism In State Are False And Ridiculous; Says Demonstrations Staged Only To Provoke Incidents

Charges of a reign of terror directed against Negro citizens of Montgomery or any other Alabama community are "false and ridiculous," Mrs. Tom Abernethy, republican national committeewoman for Alabama, wired President Eisenhower Tuesday.

"The simple truth of the matter is that a relatively small number of Negroes in Montgomery and elsewhere through the South have engaged in demonstrations with obvious intent to provoke incidents," her message read.

"In so doing, they have violated local law and custom, have defied police orders and have disturbed the peace, piling tension upon tension.

"Any fair-minded person familiar with the happenings of the past few weeks would acknowledge that the white comunity of Montgomery has behaved with amazing restraint and moderation in circumstances of extreme difficulty and resulting solely from the work of agitators."

Mrs. Abernethy said the work of state, county and city officers in preventing trouble in Montgomery was "a superlative piece of law enforcement and one for which all citizens—white and Negro—should be profoundly grateful."

"The work of the officers was keyed upon formal public announcement that, without regard to race, demonstrations carrying within them the seeds of trouble would be prohibited.

"The vast majority of Alabamians, white and Negro alike shrink from these disorders and pray that the leaders of these Negro groups may realize the dangerous folly they are encouraging.

"You have been asked by the NAACP and by Walter Reuther to intervene in the Montgomery situation to protect Negroes from alleged terrorism that simply does not exist.

"May I respectfully say that Alabama society still exists and that its duly constituted authorities are doing their full duty in enforcement of the law and protecting the legitimate activities of all citizens.

'I also respectfully suggest that if there is any intervention on your part, it should be to urge upon these people who instigate and those who take part in these demonstrations that they return to the paths of law and order."

Train Firemen To Halt Ala. Riots

MONTGOMERY, Ala. (UPI) — Montgomery's 443 firemen began riot training Monday to help support the city's 450 policemen in preventing tense, racial feelings from turning into bloodshed.

Public Safety Commissioner Eugene (Bull) Connor ordered the training program for firemen as 2,000 Negroes were prevented Sunday from marching on the state capitol in protest of racial segregation and discrimination.

Meanwhile most Negro students at Alabama State College apparently abandoned a pledge to boycott spring quarter classes. Students stood in long lines to register.

The Administration Building was crowded with students paying their registration fees and making out classroom schedules. Elsewhere there was much activity as students sought counseling from the faculty on what classes to take, purchasing supplies and textbooks.

Several student leaders who spearheaded recent anti-segregation demonstrations were seen talking with their classmates.

A college administrator said because of the recent protests and the boycott movement, students would be given a chance to register Monday and Tuesday. School President H. Council Trenholm said students not registering Monday would lose dormitory space.

He Invited Negro Pal To Lunch

Both Fined, Jailed; Required To Chop Wood, Cut Grass

By JOHN J. McDAVITT JR.
United Press International

MONTGOMERY, Ala. — A young white minister from Boston sentenced to chop wood and cut grass for trying to integrate the dining room of a white hotel, compared himself Thursday to one of the early Christian martyrs.

"I consider myself in approximately the same situation as early Christian martyrs who were put to death for refusing to put incense on the statue of the emperor," the Rev. Ralph Edwin King, 23, a Boston university theology student, said in a jail cell interview.

HIS RELEASE pending possible appeal on bond was delayed Thursday because of a technicality, and again on Friday because he was out on a work detail

Recorder's Court clerk Wilbur Knox said on Friday that the bond of the minister who invited a colored man to lunch at the white hotel had his bond executed properly, but the defendant would have to sign it after he completed his jail chores.

THE REV. MR. King failed to get out of jail Thursday because one of two Negro bondsmen failed to appear at City Hall. J. E. Davis, operator of an electric firm, signed the bond but the law requires two signatures. The second bondsmen, also a colored businessman, signed when court opened Friday morning.

"We refused to put a pinch of incense on the idol of segregation," the minister said. "When laws are evil as these in Montgomery one has the right, the moral obligation, to disobey them. We must take the situation in our own hands."

A NATIVE of Mississippi, the Rev. Mr. King was fined $200 and sentenced to 10 days on the wood pile Wednesday for demanding dining room service for himself and Elroy Embry, 33, a colored man, at the Jefferson Davis Hotel. Embry got the same sentence, and the two cut grass and chopped wood together at city jail.

The minister had been fined $100 and 43 in costs two hours before his arrest at the hotel for an earlier action in taking part in an integrated lunch at a colored cafe.m

ALTHOUGH THE minister said he classed himself with the martys, he denied any attempt at martyrdom.

"I'M NOT enjoying it here. I'm tired. I'm not used to hard labor," he said. "The guards have cursed me, and they told the other prisoners I am a 'nigger-lover.' "

He said the attempt at service in the hotel dining room was "all my idea" because "a restaurant serving a Negro and a white together would be something good here."

Negroes, Whites, Jailed For Visiting In 'Bama

MONTGOMERY, Ala. — (UPI) — Three Negroes and two white men were jailed Tuesday night on charges of disorderly conduct after neighbors in two white residential areas reported visits by Negroes to white homes.

The white men, Major Rodney L. Cron, 37, and Vincent E. Wilson, 31, were arrested on warrants signed by their neighbors. Also jailed were three Negro men, Robert B. Hayes, 26, of Greensboro, N. C., Robert Cobbs, 39, of San Antonio, Texas, and Tommie Estell, 26, of Montgomery.

Authorities, however, declined to prosecute charges against Cron. The case, described by Recorder's Judge D. Eugene Loe Jr., as "just a technical violation of city customs," was turned over to the military. Loe dismissed charges against Wilson, also.

One of the complainants said Hayes and Cobbs drove up to the Cron residence in an all-white neighborhood, unpacked four suitcases from their car, and went inside.

A neighbor who visited the Cron home said the Negroes were inside the house carrying on a casual conversation with Cron and his wife. Cron, Hayes and Cobbs were arrested after warrants were issued.

Detective E. Y. Lacy and C. W. Jones said that about the same time in another white section, Wilson's neighbors complained that Estell got out of a car and began conversing with Wilson and his wife. A warrant was issued and Wilson and Estell were promptly arrested.

Wilson told police he did not know he was violating an law. A native of St. Louis, Mo., he said he lived in Chicago until he moved to Montgomery several months ago to work as an engineer.

He said Estell was his wife's supervisor at the Maxwell Air Force base hospital and that the Negro had come to his home to discuss some technical literature.

Police quoted Cobbs as saying he was an Air Force captain from Lackland Air Force base, Texas and Hayes told officers he had been in the Air Force until he was discharged Monday.

Cron, an Air Force officer stationed at Maxwell Air Force base, was released to the custody of the provost marshal under $100 bond. The other four remained in jail.

Major Cron was recently awarded first prize in a servicemen's letterwriting contest held at Valley Forge, Pa. The letter was entitled, "Protecting America's Freedoms."

Negro, White Eat Together Jailed, Fined

MONTGOMERY, Ala., June 8. —(AP)—A Negro and a white minister who ate together publicly once and tried it again were convicted a second time Wednesday and sentenced to 10 days in jail.

They were fined $200 and costs each by a city court judge who said they deliberately provoked trouble when they demanded service Tuesday in a hotel coffee shop.

It was the first time since a series of racial incidents started here three months ago that jail terms were imposed. In other trials the defendants got off with fines.

Elroy Embry, a Montgomery Negro, and the Rev. R. Edwin King, a white Boston University student, sat down together in the cafe a few hours after they and six other Negroes had been fined $100 for a previous integrated luncheon.

Their Negro attorney, Charles Langford of Montgomery, said Embry and King probably would appeal their most recent convictions as they did those Tuesday.

Judge Eugene Loe told the defendants the coffee shop incident was "a calculated deal . . . an act committed probably in hope that you would get arrested and get some notoriety. . . ."

A waitress, Mrs. Mary Sanders, had testified King told her earlier Tuesday that he was here for the first integrated luncheon trial and probably would be in jail again before nightfall.

King and Embry were fined $100 and costs each and sentenced to 10 days in jail for trespassing. They were fined another $100 and costs for refusal to obey an officer who had asked them to leave the hotel restaurant.

The defendants were arrested Tuesday less than four hours after special Judge Sam Rice Baker in state court had found them and six others guilty of disorderly conduct for eating together in a Negro cafe March 31.

In language similar to that used by Judge Loe Wednesday, Judge Baker concluded in his written decision that the integrated luncheon was a deliberate act calculated to create a breach of the peace in racially tense Montgomery.

FROM ALABAMA

Ex-Miss America Joins Mix Throng

NEW YORK (AP) — A former Miss America winner of the Miss Alabama contest and a group of Broadway actors picketed an F. W. Woolworth store yesterday in support of the southern sit-in movement.

Yolande Betbeze Fox, who as Yolande Betbeze won the Miss America contest in 1951, said "I'm a southern girl, but I'm a thinking girl."

Miss Fox, of Mobile, Ala. carried a sign supporting the sit-ins of southern Negro students at Woolworth lunch counters.

"Every Southerner I know in New York without exception is in favor of the Congress of Racial Equality (CORE)," she said.

CORE, which is supporting the sit-in movement, supplied the placards carried by the actors, many of them from a show "A Raisin in the Sun."

A group of southern Negro students also took part in the picketing.

Birmingham Negroes Claim Parley With Mayor Unfair

BIRMINGHAM (AP) — Three young Negroes, one of them a sit-in demonstrator here four months ago, met with Mayor James Morgan Tuesday with the intention of discussing segregated lunchroom seating.

The Negroes said they got an hour-long lecture on the progress of Negroes in Birmingham during the last 100 years, then were ushered out.

The mayor declined to comment.

The Negroes were Jesse Walker, 23, Clyde Carter, 29, and Alphonso Crawford, 21, all of Birmingham.

Walker was one of 10 Negroes convicted of trespassing after warning following a sit-in demonstration by Negroes at five downtown eating establishments last March. Each was sentenced to 180 days in jail and fined $100. All posted appeal bonds.

The three Negroes arrived at the mayor's office while he was out to lunch, and awaited his return.

Then they went in his office with him.

"The mayor said he would listen to our program, after he told us of the progress the Negro has made in Birmingham in the last 100 years," said Carter.

Carter said he and his companions listed to Morgan and, when they started to outline their program, they were asked to leave by the mayor's executive secretary.

"I asked Mr. Morgan who was the mayor here," said Carter, "and then he asked us to leave his office."

Morgan, questioned later, said only:

"I have nothing at all to say about it. I think the least said about it, the better off Birmingham will be."



NEGROES GATHER AT CAPITOL TUESDAY BUT FIND DOORS LOCKED FOR MARDI GRAS HOLIDAY
About 720 Demonstrators Sang, Then Walked Back To Alabama State College Without Incident

Hymn-Singing Students Hold Rally At Capitol

By THE ASSOCIATED PRESS

Chanting, hymn-singing Negro students, continuing their anti-segregation protest, demonstrated Tuesday at the State Capitol, where the Confederacy was born 99 years ago.

About 720 students from Alabama State College marched two-by-two to the Capitol for a brief rally, then returned to the campus and ultimately to class after a second get-together on the college grounds.

It was the fourth public gathering of the protesting students since they started a sitdown demonstration last Thursday at the all-white lunchroom in the Montgomery County Courthouse.

The Capitol was closed for Mardi Gras Day, a state holiday, and the Negroes made no effort to enter the building. Instead, they gathered outside, near the spot where Jefferson Davis took the oath as president of the Confederacy in 1861.

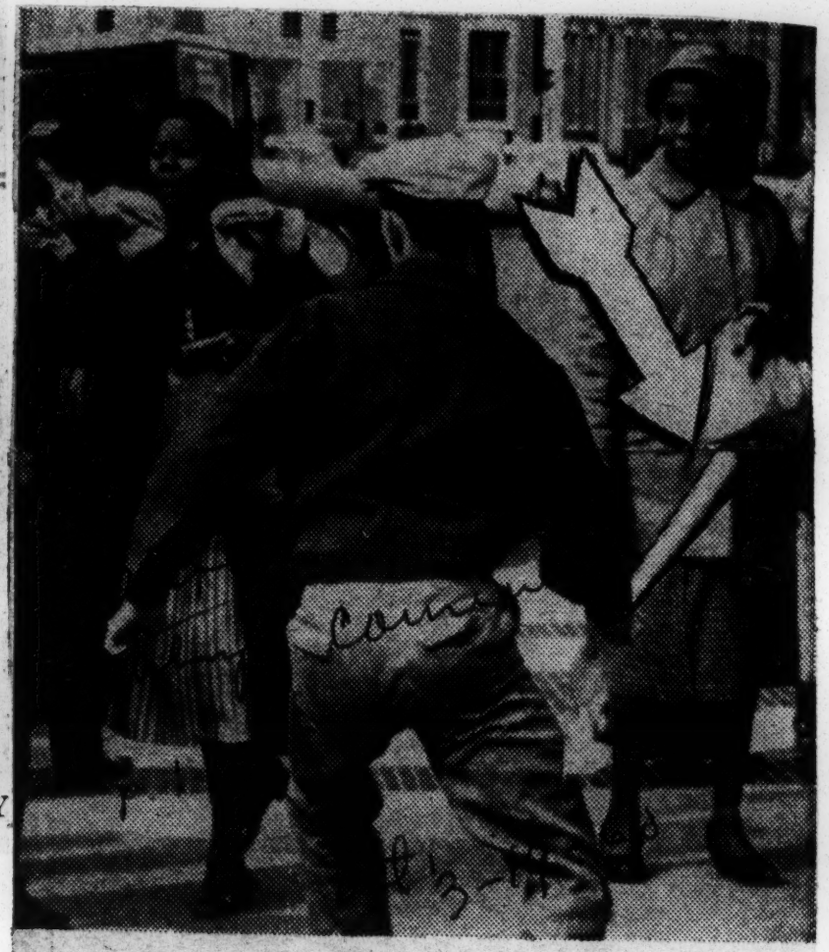
Highway Patrolmen and state investigators who kept watch on the crowd were under orders to stop them if they tried to go inside. Atty. Gen. MacDonald Gallion, one of several state officials who watched, explained that no visitors were allowed in the building because of the holiday.

A coed who identified herself as Carolyn Showers, a junior from Mobile, sang "The Lord's Praye and the massed students joined in The National Anthem.

There was no disorder, but the demonstration attracted a group of white spectators who shouted cat-calls at the Negroes. White motorists driving past the capitol honked their horns.

The students marched back to the college after the brief gathering, then met again to hear one of their leaders tell them, "There will be no further action Tuesday, but you will be notified."

As they disbanded, the students chanted, "Can't go Alabama, we go Auburn." It was another threat to seek enrollment at one of the state's two white universities if Alabama State is closed as Gov. John Patterson has hinted.



'Bat Man' Identified— This "brave" white man, who used a bat to attack a defenseless Negro woman, was identified by Alabama Journal City Editor Ray Jenkins as Sonny Livingston, one of four whites arrested on bombing charges in 1957. Afterwards, Livingston was allowed to file for constable in Montgomery but later was tossed out when he was found unqualified.

38a 1960

ALABAMA LUNCH COUNTER- ON PROBATION

Three sit-in Negro girls on probation

Juvenile Judge Talbot Ellis yesterday found three 16-year-old Negro girls who participated in lunch counter sit-ins here of being delinquent of violating a city ordinance.

The youngsters were put on probation until they reach the age of 18 on the condition they "obey the law and otherwise properly conduct themselves."

A petition against a 15-year-old Negro boy was dismissed at the request of Asst. State Sol. Harry Pickens.

THE PETITION accusing the boy with loitering after warning was dismissed because the boy had not been asked to leave the lunch counter, according to City Detectives C. L. Pierce and C. L. Stevens.

Under questioning by Pickens the girls testified a meeting was held prior to the demonstrations for "the sole purpose of planning the sit-ins . . . to deliberately violate the law."

Several motions by Negro attorneys to dismiss the charges were overruled by Judge Ellis. The defendants have 10 days in which to file notice of appeal.

IN FINDING the girls delinquent, Judge Ellis said under the law private businesses have the right to refuse service to anyone they choose.

"For perhaps the first time in my life, I agree with a statment made by President Harry Truman," the judge said. "If I had a business and someone came in and interrupted it, I would throw them out."

The Negroes were found delinquent under a trespassing law that has been on the books since 1930.

The demonstrations took place Aug. 15 at four white lunch counters. A 20-year-old Negro college co-ed was convicted in Recorders Court a week later. Similar charges against two others were dropped in court Monday night.

ALABAMA

LUNCH COUNTERS - S U I T S

6 Expelled Students Sue For Readmission

MONTGOMERY, Ala. — (ANP) — U. S. District Judge Frank M. Johnson, jr., will hear testimony Aug. 22 on a suit by six expelled Negro students seeking reinstatement to Alabama State college.

The ousted students — Bernard Lee, Elroy Embry, Marvate Watts, St. John Dixon, Edward English Jones and Joseph Peterson — have asked the Federal judge to order them readmitted.

Gov. John Patterson, member of the state Board of Education and President H. Councill Trenholm of the state-supported Negro college are defendants in the complaint which charges unfair treatment.

The board expelled the six and three other Alabama State students last March for taking part in a sit-in demonstration in the Montgomery courthouse lunchroom. Twenty others were put on probation.

The suit contends the expulsion "merely retaliated against, punished and sought to intimidate the plaintiffs for having lawfully sought service in a publicly owned lunchroom."

Some members of the Board of Education were handed copies of the complaint when they arrived at the capitol for a board meeting.

U. S. Marshal Charles S. Prescott said the papers were served there because officers had been unable to contact some members earlier.

Negroes Push Cafe Suit

Two Negro students refused Friday to give up in their efforts to integrate the City Hall cafeteria.

Two Negro students refused Friday to give up in their efforts to integrate the City Hall cafeteria.

Attorneys for the students asked U.S. District Judge Boyd Sloan to refuse a petition of the city for dismissal of their integration suit on the grounds that the eating place has been closed to the public and is now serving all city employes alike.

The students charged that this is only a ruse to deviously continue segregation. They said there are not enough Negroes working at the City Hall to provide true integration of the cafeteria.

City attorneys meanwhile replied to another Negro suit seeking to have "white" and "colored" signs on taxicabs eliminated.

They maintained that taxis are private businesses and entitled to haul only such passengers as they desire.

They claimed that the Negroes based their suit on hearsay in claiming that a taxi driver at the airport told them, "The city won't let me carry you."

The plaintiffs are the Rev. Wyatt Tee Walker, executive director of an integration organization headed by the Rev. Martin Luther King Jr. and Len Holt, a Virginia lawyer.

LUNCH COUNTER- SIT DOWNS
ALABAMA STATE COLLEGE



Associated Press Wirephoto

SEEK ADMISSION TO UNIVERSITY OF ALABAMA: Three of seven Negroes who filed applications yesterday to all-white university, talk to registrar at office in Montgomery. Officials made no decision on applicants, who refused to divulge names.

4 More Negroes Seek UA Entry

MONTGOMERY, March 23 (UPI)—Four more Negroes applied for admission to the University of Alabama Extension Center here today to bring to 10 the number of Negroes attempting to break the segregation barriers at all-white institutions of higher learning in Alabama.

Six other Negro students, including one who was expelled from Alabama State College for taking part in an anti-segregation demonstration, filled out applications yesterday.

Dr. W. W. Kaempfer, director of the Extension Center, said the four Negro males completed the application blanks in about five minutes and then left the center. There were no incidents and police were not called.

Names Withheld

Kaempfer said he could not release the names of the four new Negro applicants. He said the new applications would be handled in the same manner as all others. When all applications and supporting data are assembled the material will be sent to the main campus at Tuscaloosa, the extension director said, where the final decision on whether applications will be accepted is made.

Although police were summoned to guard against possible disorder yesterday, no request for a police guard was made today. Police reportedly were under orders to allow the University to handle the matter and intervene only in case of disorder.

Identities Learned

Center officials also refused to reveal the names of the six who filed applications yesterday, but it was learned later the Negroes, all Alabama State students, included Marzette Watts, who was expelled from Alabama State for participation in a sitdown demonstration at the county courthouse here several weeks ago.

Two of the applicants, Floyd Wilson Coleman and Theophilus Moody, were placed on probation for their part in the sitdown. The other Negro applicants were identified as Bessie Ruth Cole, Eleanor Jane Shepherd and Gwen Lucretia Randolph, all of Montgomery.

Negro Group Asks Probe Of State Negro Colleges

MONTGOMERY (AP) — A newly formed organization of Negroes today called on State Supt. of Education Frank Stewart to tighten up scholastic and attendance requirements at Negro colleges in Alabama, especially at Alabama State College here.

Sam Moore of Birmingham, president of Sensible Approach of Negro Efforts Inc., SANE, also called upon "responsible officials" to investigate Negro college faculties and discharge any who are "found to be promoting strife, disunity and racial unrest."

He said this request applies particularly to Alabama State College and that "we think it should be further determined why discipline broke down" at the college, scene of recent demonstrations for integration.

Nine ASC college students were expelled for their part in lunch room integration efforts at the Montgomery County courthouse and subsequent events which led to a near race battle before the state capitol. Moore's letter asked Stewart to "investigate whether it is proper for the chairman of the history department at ASC to be a leader in a group working closely with the Congress for Racial Equality, CORE, and other agitation groups.

Dr. L. D. Reddick is head of the history department at the Montgomery College.

Neither Reddick nor Dr. H. C. Trenholm, president of Alabama State, could be reached for comment.

The State Board of Education meets here tomorrow. But Stewart said this morning Moore's letter had not reached his desk and he would have no comment until he had read it.

STATE BOARD ORDER

Trenholm Plans Purge Of 'Disloyal' Faculty

By THE ASSOCIATED PRESS

Alabama State College's president, Dr. H. C. Trenholm, said Saturday he will work with the state school superintendent to purge the college of "disloyal" faculty members.

This was ordered by the State Board of Education Friday after Frank Stewart, the state superintendent, said he had learned that at least 11 members of the Alabama State faculty haven't been loyal.

Trenholm said also that students who were convicted of disorderly conduct in city court as a result of a recent anti - segregation demonstration will be kept on probation.

They had been on probationary status, he said, since the incident which resulted in arrest of 33 students and one ex - student as well as one faculty member.

Thirty one of the group were convicted on charges of disorderly conduct and failure to obey police officers who had ordered them to disperse. They were fined $100 and costs in each case.

Trenholm said about three fourths of the students convicted are still in school.

The state superintendent investigated conditions at the state-supported Negro college at the request of Gov. John Patterson. He said he found at least 11 faculty members who haven't been loyal to the school.

These faculty members whose names he withheld "have not shown cooperation with the college in trying to get things straightened out." Stewart said.

He told the state board that three faculty members also participated in the forbidden demonstration near the capitol Sunday afternoon, March 6, which nearly resulted in racial violence.

Stewart also declined to make their names public.

The governor said he had been informed that pamphlets published by the Congress of Racial Equality (CORE) in New York had been distributed on the college campus to instruct students in how to carry out sit-in demonstrations.

Patterson, who presided as ex officio chairman of the school board, offered the motion himself to crack down on faculty members who have encouraged student protests.

He commented that as far as he is concerned Trenholm will have to straighten out the situation at Alabama State or the school board will find someone who can.

Trenholm has served as president of the Negro college for 33 years and was a faculty member four years before that.

NO SIGN OF WALKOUT

Alabama State Students Open Spring Registration

By DICK HINES

Students at Alabama State College calmly proceeded with registration processes Monday and there was no immediate evidence of a mass walkout at the Negro institution.

No demonstrations took place during the day and President H. Councill Trenholm said there was "no overt action" on the part of student leaders.

But he stated his office had received reports that some students seeking to enroll for the new spring quarter were being "subjected to pressures, the extent of which cannot be measured yet."

MIDDLE OF WEEK

Large groups of ASC students last week threatened to leave the school as the result of the explusion of nine persons who participated in an anti-segregation "sit-in" demonstration at the Montgomery County Courthouse.

Trenholm said it may be the middle of the week before it can be determined whether there will be a drop in enrollment.

"Technically, students have until next Monday to enroll, although they will have to pay late registration fees after Thursday," he stated.

He said 1,182 students filled out pre-registration forms last week, indicating their intent to attend school for the quarter just beginning. These students lined up Monday to pay fees and receive class schedules.

NO IMMEDIATE COUNT

Trenholm said a count on those who followed up on the pre-registration action was not immediately available. Others will begin the registration processes Tuesday afternoon, he said.

The campus scene Monday was calm and orderly although a few of the students identified as having taken part in the sit-in demonstration were spotted in small groups at the intersection of Jackson and Thurman streets and near the buildings.

But there were no reports that the anti-segregation spokesmen were attempting to stop other students from coming on the campus and registering.

Rumors that a large throng of Negroes would appear during the day to register as voters failed to materilized.

Late in the afternoon, only 19 Negroes had appeared at the courthouse to make their bids for registrations.

Alabama State Report Is Due

Stewart To Tell Possibilities Of Closing Down Negro Institution

By United Press International

MONTGOMERY, Ala., March 24.—State Superintendent of Education Frank R. Stewart will report to the state Board of Education Friday on his investigation of the possibilities of closing down Alabama State College where students have been involved in recent demonstrations.

Stewart was ordered to make the investigation by Gov. John Patterson March 10 after Police Commissioner L. B. Sullivan requested the all-Negro school be closed "due to the tense situation" in this Deep South capital city.

Recommendations Expected

Stewart is also expected to make recommendations as to whether the 35 Negro students from Alabama State who were arrested for antisegregation demonstrations will stay in school.

Patterson said Thursday he expected Stewart would "make some recommendation for disciplinary action" for the students.

In asking the Governor to padlock the college, Sullivan told the Chief Executive "it is obvious that the president and the faculty . . . have little or no influence over the actions and conduct of the students . . .

"Due to the tense situation in Montgomery and the apparent lack of co-operation with law enforcement officers, I respectfully suggest to Gov. John Patterson and the state Board of Education that they give serious consideration to closing the college."

Meantime, a newly organized Negro group, the Sensible Approach of Negro Efforts, Inc. (SANE) also asked Stewart to investigate the all-Negro college.

Investigation Asked

The group, headed by Sam Moore of Birmingham, asked Stewart to investigate "whether it is proper for the chairman of the history department to be a leader in a group working closely with the Congress for Race Equality (CORE) and other agitation groups."

Dr. L. D. Reddick, head of the Alabama State history department, was identified as an active CORE member by Negro integrationist Rev. Martin Luther King Jr.

SANE also asked the education chief to tighten up scholastic and attendence requirements at Alabama State and other Negro schools in Alabama.

Purge Ordered At Negro School

Alabama Board Says All On Faculty Disloyal To Law Must Be Weeded Out

By The United Press International

MONTGOMERY, Ala., March 25.—The state oBard of Education ordered the president of Alabama State College Friday to weed out all faculty members at the state-supported Negro school who are not loyal to the state's segregation laws.

The board issued the instructions to Dr. H. Councill Trenholm after School Superintendent Frank R. Stewart reported the majority of faculty and students at the school were interested in education and maintaining law and order.

Asked Closing

The school board discussed the college, scene of several recent protest marches against Southern segregation, after Montgomery Police Commissioner L. B. Sullivan urged the board to close the school. Sullivan said the administrators of the college apparently had no control over the Negro students.

The board ordered Trenholm to:

—Enforce the rules and regulations of the school.

—Maintain order.

—Weed out faculty members who are not loyal to the school and the state.

—And place 32 Negro students, arrested during a recent demonstration, on strict probation.

The board said it would give its "full support" to any corrective measures taken by Trenholm.

CORE Suspected

Stewart told the board there were strong indications the protests were organized by CORE —the Congress of Racial Equality which has spearheaded sit-in demonstrations throughout the South.

The school superintendent told the board his investigation showed there were 11 faculty members at Alabama State, both men and women, "who are, more or less, agitators and who have not shown co-operation with college officials."

Stewart said some of the professors had been teaching at Alabam State for as long as 26 years.

But, Stewart said, "the vast majority of students are interested in education and most of the faculty members are interested in doing the right thing."

Connecticut Education Backs Students

MIDDLETOWN, Conn., March 25.—(AP)—President Victor L. Butterfield of Wesleyan University Friday said he will welcome admission applications from qualified Negro students expelled from Southern colleges as a result of lunch counter demonstrations.

His statement was made after endorsing Wesleyan students' efforts to raise scholarship funds for the Negro students who participated in anti-segregation demonstrations in the South.

Of the Wesleyan students who organized a fund-raising committee for the expelled Negroes, Butterfield said:

"I am very pleased that these students, known as the Silent Generation, are showing their great concern for social issues and not just talking about the problem."

Praised for efforts—

Montgomery cops on 24-hour alert in crisis

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., March 12—Despite an indicated slackening in "marches," Police Commissioner L. B. Sullivan says Montgomery law enforcement officers are being kept in a state of constant readiness for prompt action.

Confidence in the ability of law enforcers to handle recurring incidents, he adds, prevented a more serious outbreak last week.

"Almost daily now," the commisioner said, "Negroes are conducting parades, mass demonstrations or contributing to incidents that are widening the breach between the two races.

"If you should stop a demonstrator and ask just what's he mad about, chances are he will be hard put to give an answer. Most likely he'll finally say he's irked because of 'the treatment' of the Negro in these parts.

"But when asked for particulars it's likely he'll be pressed to give one. Certainly the Negro cannot get anywhere by resorting to threats, by screaming incantations at mass meetings or by abusive placards."

SULLIVAN SAID young Negroes are being whipped into anger by sinister forces in the background.

The commissioner said the real danger lurking in the situation as it now exists is:

"The average Negro has been goaded into believing he is being defrauded. The demonstrations get wide publicity in the North and abroad. It is publicity that certain Negro leaders crave. And it means money in their pockets from those willing to contribute to a 'cause' from afar.

"But in order to keep this publicity device going — to gain bigger and bigger headlines—the Negroes are being agitated in their churches and elsewhere to voice louder and more aggresive protests. It's hypnotic. They are told again and again they have their rights and that the white people are mistreating them.

"It's getting to the point where each demonstration has to be bolder than the other one to get the same or increased publicity."

Commisioner Sullivan said the Montgomery Police Department, the sheriff's forces and state officers are working in close accord in the critical situation.

HE SAID THAT unfortunately Montgomery has been made the focal point for the integration movement in this area. Thus, he said, the people of this normally easy-going city have, without justification, been given a black eye.

They Asked For It

The incendiary lunch-room demonstrations and related idiocies may come to be regarded as the most rash and damaging acts by the Negroes since 1954—rash and damaging to themselves.

The unexpected results are notably observed in North Carolina, where the demonstrations began. In the midst of a governor's race, the North Carolina candidates had been muted on the race business. But the trespassing of the colored students apparently has changed that.

The new attitude is described by an Eastern North Carolina editor, Jack Rider in the *Lenoir County News*. This is a part of the state that brooks no nonsense about being different from Alabama, Georgia and South Carolina. Any impressions to the contrary, says Rider, is the result of the "Northern press and our home-grown integrationists who run the great newspapers in Raleigh and Charlotte."

Of the governor's race, Rider observes:

This time the people of the state are going to have an opportunity to choose between men who want to resist this illegal usurpation and men who want to surrender [to the integrationists] without firing even a shot.

Even this year the people of North Carolina would have been spared the bitter kind of battle this is obviously going to cause but for the ill-timed, stupid efforts of North Carolina Negro college students to force themselves into places where they are not wanted and where they have no need to be.

The one potential candidate (Dr. Beverly Lake) who was expected to run hardest on the race issue had indicated a few days ago he would not be a candidate.

But when the college students started their "counter revolution" they assured Lake's candidacy. And Lake's candidacy has made certain that no candidate can campaign between now and May 28th without declaring his position on this point.

Those candidates who didn't want to rock the boat, who looked to the fact there are more than 100,000 Negro voters in the state, will now have to decide which side of this issue they are on. They will no longer be able to eat their cake and have it too—to be a staunch segregationist at the country club and an enlightened moderationist before the television cameras.

From here on in, the race is expected to center more and more on the race question instead of welfare, education and highways that had been the main issues at the beginning of the campaign. This circumstance, which can only harm the Negro cause, was dictated by the Negroes themselves.

Students March In New Protest At Alabama State

By United Press International

Singing, chanting Alabama State College students marched in a new anti-segregation protest in Montgomery, Ala., Thursday and Gov. John Patterson angrily ordered a "full investigation" of the Negro school.

The South's wave of lunch counter sitdown demonstrations reached Little Rock, Ark,. scene of school integration violence two years ago.

Gov. Luther H. Hodges of North Carolina, the state in which the sitdown movement began a month ago, said he does not believe the protests will "achieve the results they think they want" and said he has "no sympathy for any group doing something which a reasonable person can see will result in a breakdown of law and order."

Police in Little Rock promptly arrested a number of Negro lunch counter demonstrators who refused orders to leave an F. W. Woolworth Co. store. The store closed its lunch counter when the 20 to 25 demonstrators appeared.

REQUESTS CLOSING ORDER

The Mongomery, Ala., Police Commissioner L. B. Sullivan, asked Gov. Patterson to close Alabama State because of the tense racial situation in the Alabama capital city. Patterson, in turn, ordered an investigation by the state superintendent of education to determine whether the Negro school should be closed.

The Alabama State protests have occurred almost daily since officials expelled nine Alabama State students for participating in a lunch counter demonstration at a snack shop in the Montgomery County courthouse two weeks ago.

Police, highway patrolmen and sheriff's deputies rushed to the campus Thursday and watched the demonstration in which Negro students marched two abreast around the campus, waving placards and signs. They sang hymns and patriotic songs on the steps of each building on the campus.

FORBIDS DEMONSTRATIONS

Such demonstrations have been forbidden by Alabama State President H. C. Trenholm.

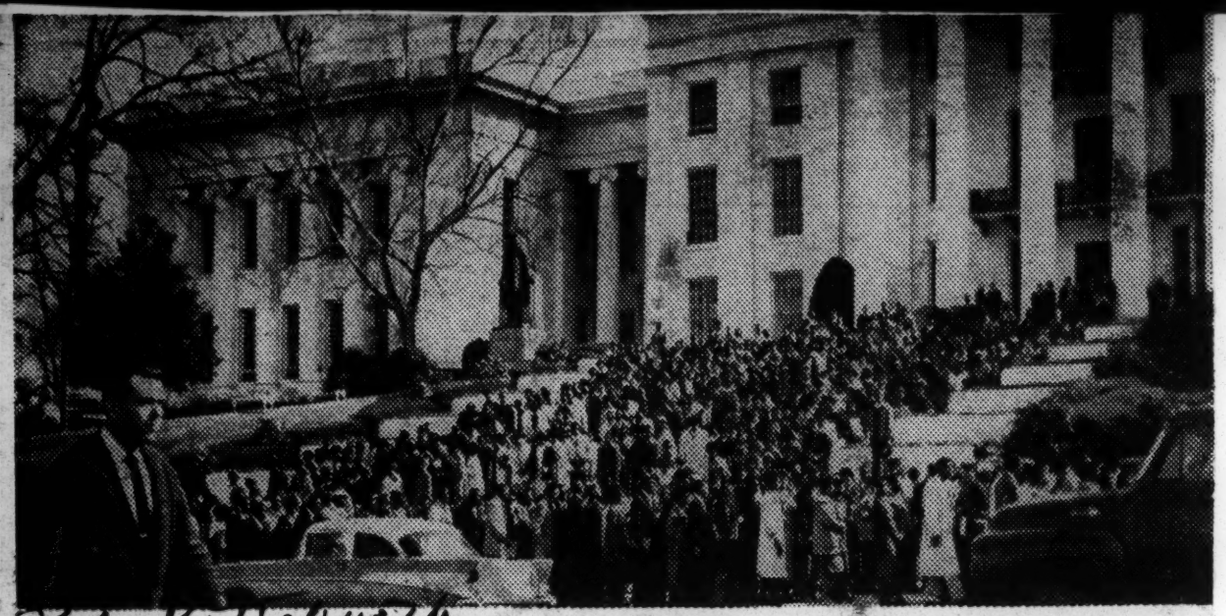
Sullivan said "it is obvious that the president and the faculty .... have little or no influence over the actions and conduct of the students as the students ignore requests by Trenholm and continue their efforts to incite racial violence."

Sullivan said he felt tax money could be put to better use than that of financing an institution which obviously is turning out graduates of hate and racial bitterness."

Patterson's order for a "full investigation" asked for a report to the state boardof education within a few days.

SIXTY TAKE PART

"The president and faculty of Alabama State College for Negroes must maintain order and discipline at the school," Patterson said. "They cannot allow a handful of agitators to disrupt classes, to assault school officers and to prevent conscientious students from studying."



In Alabama—Students of Alabama State College gather on the steps of the State Capitol in Montgomery to demonstrate against racial segregation and show their sympathy with other student protesters in six Southern states. The day after this photo was taken, Governor Patterson of Alabama called a special meeting of the State School Board and ordered nine student leaders expelled from Alabama State and 20 others put on probation.

Free on bond—

31 Negro students fined in disorders

BY ALLISON STANTON, News correspondent

MONTGOMERY, Ala., March 12—Thirty-one Negro college students, convicted of deliberately defying authority in a shouting anti-segregation demonstration, were free on bond Saturday.

The Alabama State College students were allowed bonds totalling $400 each while raising fines or appealing their convictions in Recorder's Court Friday.

City Recorder Eugene Loe, in fining them $100 on each of two charges, warned that stiffer fines might be forthcoming as a result of future demonstrations.

IN ADDITION to the 31 students, Judge Loe fined a former student, now an air policeman at Maxwell Field, a total of $200 plus costs.

He found three other students innocent following the day-long trial Friday and imposed small fines on a woman faculty member and her doctor husband.

The charges of disorderly conduct and failure to obey orders of police grew out of a March 8 demonstration near the campus of Alabama State College for Negroes.

THE GROUP OF SHOUTING Negro students, some carrying signs protesting the expulsion of nine students earlier, climaxed several days of racial troubles here.

One of the Negro attorneys for the defendants, Fred Gray Jr., said the students had agreed to cease all demonstrations at a general meeting Thursday night.

He appealed to the court for leniency in what he called an "unfortunate situation" on the college campus.

SOME OF THE STUDENTS had signs, he conceded, but some others among the defendants "happened to come up at the wrong time."

Judge Loe, in passing sentence after completion of all the trials, said constituted authority had been "deliberately defied in massing for the purpose of making a protest demonstration."

He added that conduct of some of the defendants was "not only calculated to create a breach of the peace, but in fact the conduct did cause a breach of the peace."

The judge declared that the fines he imposed "would be no barometer by which I will go by in the future."

Gray said it had not been decided whether the cases would be appealed to Circuit Court and that the bonds were being made mainly to give the students time to raise money for the fines.

JUDGE LOE FINED a woman physical education teacher, Mrs. Alean R. Underwood, $10 plus $4 costs for disorderly conduct. He earlier had quashed a charge of failing to obey an officer in her case.

Her husband, Dr. Jefferson Underwood, a physician, was fined $1 and costs for failure to obey officers. He was freed of a disorderly conduct charge.

Both paid their fines.

All 37 defendants originally were charged with disorderly conduct and failing to obey police orders.

The two students he found innocent of each of the charges were Erroll Gardner Cummings, 22, and Donald Laslie Boyd, 24, both of Montgomery.

THEY TESTIFIED they were on a nearby porch when officers arrested them. Police testified they were among the demonstrators.

Judge Loe also acquitted Charles Lewis Williams, 22, of Montgomery, of both charges, and remarked that Williams, a parole violator, would have gone back to prison if found guilty. Williams, convicted of false pretense, was held for final disposition of his case by county authorities.

Alabama State College

Students Call Off Segregation Rally

MONTGOMERY, Ala. (AP) — Negro college students called off a new anti - segregation rally Wednesday, but racial tension erupted into violence in two other incidents.

A visiting Negro airman shot at a white policeman during an early morning scuffle.

A photographer was roughed up by white men while taking pictures near the scene of a promised demonstration by Negro students at Alabama State College.

An estimated 600 students cheered when one of their leaders told them Tuesday there would be a bigger demonstration Wednesday despite police warnings and mass arrests.

But morning brought a cold rain, and an adult leader, the Rev. Ralph D. Abernathy, said the students were advised to forego the rally. A demonstration at the college Tuesday sent 37 Negroes to jail.

The Negro who cursed and shot at the policeman was booked as Henry O. L. Mays, 22, of Toledo, Ohio, an airman stationed at Eglin Air Force Base, Fla. He was charged with assault with intent to murder and carrying a concealed weapon, a straight razor.

Patrolman F. D. Estes said the airman refused to tell what he was doing on the street before dawn and told the officer, "you people down South think you can run over colored people."

Estes said he told the Negro he was under arrest but Mays struck him with his fists and knocked a club from his hand. The officer's gun fell out of its holster, Estes said, and the Negro picked it up and fired at him, but missed.

Patrolman C. R. Wood captured the Negro at gunpoint at a bus station.

Could get year, $200 fine—

Five of Negroes are convicted

BY ALLISON STANTON, News staff writer

MONTGOMERY, Ala., March 11—Five Negro college students, an ex-student and two faculty members were convicted today on charges growing out of a noisy anti-segregation demonstration in racailly-tense Montgomery.

The Alabama State College students were the first of 35 called to trial in City Court as police guarded the City Hall against possible sympathy demonstrations.

Judge Eugene Loe could impose sentences ranging up to one year in jail and a $200 fine in the cases of the students. He postponed sentencing until the trials are completed.

The convictions:

Joanna D. Davidson, 20, Tallassee, Ala., disorderly conduct and and refusal to obey an order of a police officer.

Dr. Jefferson Underwood, refusal to obey an order of a police officer.

Charles Lewis Williams, 22, Montgomery, disorderly conduct and refusal to an order of a police officer.

Mrs. Alene R. Underwood, 38, disorderly conduct.

One of the defendants, convicted of disorderly conduct and failure to obey an officer, was identified as an Air Force policeman at Maxwell Field and a former student at the college.

He was James Rickerson Jr., 23, of Montgomery.

Others convicted early this afternoon of both charges were Dred Scott Harrington, 21, Milton R. Ivey, 18, and Paul Joseph Adams, 19, all residents of dormitories at the college.

UNDERWOOD WAS arrested at city jail when he went to see his wife. He also was charged with disorderly conduct and disobedience of an officer.

OFFICERS TESTIFIED they rounded up the students when the students refused to disperse at the command of officers.

Judge Loe allowed Defense Atty Fred Gray Jr. wide latitude in cross-examining Sullivan, obviously in a move to let Sullivan clarify and expand on his order made several days before the demonstration.

IN COMMENTING on Gray's remarks about constitutional guarantees of free speech and assembly, Judge Loe said the Constitution guarantees those rights, but not to the extent to allow mob violence.

Sullivan said whether only two Negroes would be allowed to march with signs would depend on circumstances at the time.

Dr. H. Councill Trenholm, head of the college, testified he had issued one verbal order and two written orders prohibiting disturbances on the campus.

He said he issued those orders "because of the damage being done to the college."

HE ADDED HE DID not see the March 8 demonstration.

Robert Reynolds, night watchman at the college, said he and the college custodian met the students as they were preparing the demonstration and urged them to go back.

Reynolds said he fired his pistol in the air when the students started shoving and pushing. He said he saw at least one knife in the crowd.

L. B. Reddick, history professor at the college, testified he did not hear police tell the students to disperse.

He also said police refused to allow some of the group, including one or two girls, to leave.

Reddick testified he was standing across the street and heard one of the officers say, "I want the meanest Nigger to step out here."

Reddick said the officer repeated the statement but no one stepped out.

TO PREVENT CROWDING, city court officials yesterday said they would restrict public attendance at the city court. Only the defendants, members of their family and the press along with attorneys and regular court officials, will be admitted.

Yesterday Gov. John Patterson, acting upon request by Sullivan, asked State Supt. Frank R. Stewart and the Board of Education to make a full investigation into Alabama State College, its faculty and students.

Sullivan said that "obviously the president and faculty of Alabama State College for Negroes have little or no influence over the actions or conduct of the students."

Meanwhile, a reliable college source said some two-thirds of the 2300-member student body met last night and decided to halt all demonstrations and "disassociate themselves from any future agitative moves."

32 Students Hit With $208 Fines

The Commercial Appeal

Montgomery Judge Holds Negroes Defied Law In Demonstrating

By The United Press International

MONTGOMERY, Ala., March 11.—Recorder's Court Judge D. Eugene Loe Jr. fined 32 students $208 each Friday on charges of disorderly conduct and disobeying an officer during a protest demonstration against Southern segregation at Alabama State College for Negroes.

Loe acquitted three students, one on grounds it might send him back to prison for violation of probation.

The judge fined college physical education instructor Mrs. Alean R. Underwood $10 and costs for disobeying an officer and her husband, Dr. Jefferson Underwood, $1 and costs for disobeying an officer when he tried to make bond for his wife at the city jail.

Each of the students found guilty were fined $100 and costs on each charge and each charge carried four dollars in costs.

"In passing judgment on these cases," Loe said, "the court finds duly-constituted authority has been deliberately defied in massing for the purpose of making a protest demonstration. The court further finds the defendants were informed of the ban (issued by the college and city officials) on such gatherings and that the ban was legal in view of the tense and critical racial situation which exists in our city."

A college source said more than two-thirds of Alabama State's 2,000 students have decided to halt all demonstrations and "disassociate themselves from any further agitative moves."

The official, who asked to remain anonymous, said the faculty called a meeting to guide "the students out of the recent emotional conflict in which they have been involved."

At Austin, Texas, white and Negro University of Texas students Friday posted a loose picket line along the school's campus to protest what they called the "school's segregation policies."

The group of 12 Negro and seven white students carried placards and passed out circulars protesting the university's residential, athletic and extracurricula activity policies.

It was the first instance of racial unrest on the campus since the university was integrated in the early 1950s.

Jim Jordan, an art student from Fort Worth, Texas, told newsmen, "we feel integration should be carried all the way."

Circulars passed out by the group said that only four of the university's 20 dormitories are open to Negroes, that housing for Negro students was below average, and that Negroes were denied the right to participate in intercollegiate athletics and "onstage public presentations" of the drama department.

32 Students Given Fines; File Appeals

The Montgomery Advertiser

Three Acquitted; Teacher, Husband, Ex-Student Convicted

By HERSCHEL CRIBB

Thirty-two Negro college students, one former student, a woman faculty member at Alabama State College and her physician husband were fined in Montgomery Recorder's Court Friday on charges growing out of racial incidents near the college Tuesday. Three students were found not guilty by Recorder Eugene Loe.

The atmosphere of the courtroom was charged with none of the tension which has marked the racial scene here in recent weeks. Whites and Negroes alike, steered clear of the Madison avenue side of City Hall, in compliance with a city directive that only persons connected with the case and newsmen would be admitted to the trial.

BOND POSTED

There were no incidents. A handful of spectators were admitted after the trial was completed and before the sentencing.

The students and former student were fined $100 and costs on each of two charges: Failure to obey the command of a police officer and disorderly conduct. They all appealed to circuit court. Appeal bond of $200 in each offense was posted by each of the students and the ex-student.

The faculty member, Mrs. Alene H. Underwood and her husband, Dr. Jefferson Underwood, drew lesser fines.

The husband was fined $1 and costs for failure to obey an officer. He was acquitted of a disorderly conduct charge at city jail, where he went to check on his wife after her arrest.

His wife was fined $10 and costs for disorderly conduct. Officers said she shouted at them as they loaded the five girl students arrested into a police car. Husband and wife both paid their fines.

The Montgomery Advertiser 3-12-60

Another student, Jerry Wayne Gardner, 20, Montgomery, testified that he was standing on the porch of Miss Cummings' home when arrested and not in the milling student group.

NOT JAILED

The third student acquitted was Charles Lewis Williams. Police had already ordered him held for violation of probation on a former conviction of false pretense.

The convicted students could have also received a six months jail sentence but Judge Loe did not impose this.

He intimated that Negro Attorney Fred Gray's pre-sentencing statement that the Negro school's students had agreed to go back to class and hold no more demonstrations weighed with him.

He asked Judge Loe to free the students until next Monday on their present bonds to allow time to decide whether to appeal.

Judge Loe declined, but did permit the group to remain together in the courtroom for a couple of hours while bond or fine money could be gathered.

STUDENTS FINED:

The 32 students fined—including five girls students—were:

Paul Joseph Adams, 19, Montgomery; Dred Scott Arrington, 21, Montgomery; Claude Barby, 22, State College; Thomas Lee Calhoun, 25, Montgomery; Joanna Davidson, 20, Tallassee; Elbert Lawrence Dennis, 21, Montgomery; Rebecca Dixon, 18, Montgomery; Samuel Floyd, 19, Montgomery; Augusta Edward Grace, 19, Montgomery; James Stanley Haskins, 18, Montgomery; Frank Edsel Hawkins, 21, State College. Durlin Cecil Hayes, 23, Montgomery; Dorothy D. Henderson, 20, Linden; Dolphus Hendrix, 20, Montgomery; Emmit McRoy Horne, 23, State College; Milton R. Ivery, 18, Montgomery; Pitts Edward Jefferson, 21, State College; Kenneth McMillan, 19, State College; Thressa Maddox 18, Kennedy, Ala.; Carl Anthony Moore, 17, State College.

Eugene McAllister Morgan, 21, Montgomery; Julian Elponzo Relf, 23, Montgomery; Raymond Reynolds, 25, Montgomery; James Rickerson Jr., ex-student, now an Air Force airman; Franklin Delano Riley, 19, Montgomery; Richard Sanders Jr., 19, State College; Carroll Ray Walters, 19, Montgomery; Sylvester Walters, 20, Montgomery; Willard Edward Waters, 17, Montgomery; Rosetta White, alias Price, 18, Georgiana; Marion Jerome Whitehurst, 20, State College.

NEGRO CUSTODIAN

In passing sentence, Judge Loe said he found that "duly constituted authority has been deliberately defied in the massing for the purpose of making a protest demonstration."

Police were called by the Negro school custodian after some of the students had "shoved" him.

Capt. D. H. Lackey was in command of the officers who arrested the students after they displayed placards and uttered shouts.

Both the placards and shouts protested the expulsion of nine students earlier by the State School Board as "ringleaders" of march demonstrations to the cosnty courthouse and the Capitol.

Besides Lackey, Officers J. V. Johnson and W. E. Boles testified against the students and the woman faculty member arrested.

The officers identifed specific Negroes as having carried specific protest signs and uttered specific remarks.

MADE NOTES

When the defense attorneys asked how they connected the individual students with the signs or remarks, the officers replied by mentioning a moustache or other feature of the student.

Officer Boles said he had made notes but did not know the name of the students he was putting into the notes at the time. He said he later identified them by photographs. The Negro attorney was unsuccessful in an attempt to get court permission to see the officer's notes.

The defense attorneys sought to exclude these identifications on the ground that the officers had no specific points to prove their identification. But the judge admitted them.

Several students said thay had not participated in the demonstration but had walked up just as police herded the protesters together for arrest and were mistakenly included.

However, the two students acquitted were the ones who said they were sitting on a porch and were not in the crowd. The others who claimed accidental association were convicted.

Judge Loe said there is "such a thing as guilt by association." He said he would convict any arrested student in the crowd on the ground they were aiding and abetting the demonstration.

He said he proceeded on a similar premise earlier in the Green Lan[illegible]ses.

Negroes Protest When 100 Denied Late Registration

Birmingham Post-Herald
Birmingham, Ala.
Sun. 3-27-60

MONTGOMERY, March 28 (AP) — Several hundred Alabama State College students cut classes today to protest the denial of admittance of about 100 late applicants.

Standing quietly in groups on the campus, the Negro students reportedly caused no disorder, and no police were seen in the area.

The demonstration followed disclosure by the college president that approximately 100 former students who asked for permission to register late for the current year were turned down.

The boycott came after an anti-segregation rally of about 500 students to hear a talk by Bernard Lee, 24, of Norfolk, Va.

Lee, one of nine Alabama State students expelled early this month after a wave of racial demonstrations, said he did not urge the students to stay away from class.

Earlier, the college president disclosed that approximately 100 former students who asked for permission to register late for the current quarter were turned down.

Although President H. Councill Trenholm said the decision had nothing to do with recent racial demonstrations at the school, he added that college authorities had taken a firmer stand against late registrations than they once had.

At one time during the anti-segregation demonstrations, nearly 1000 students at the Negro college threatened to stay out of school.

But most of them relented, and Trenholm said enrollment for this quarter was only about 200 below the anticipated figure.

The president said some 100 of the students who failed to re-register before the March 14 deadline had come in later and asked for more time, but school officials turned them down.

Despite the fact that the college authorities "have been lenient" in the past, Trenholm said "this time we felt it necessary to insist upon compliance with the letter of the law."

He said students who failed to register in time for this quarter will be allowed to enroll at the start of the next quarter if they comply with the rules.

Expelled Negro Youth Gets Job

Birmingham Post-Herald
Birmingham, Ala.
Sun. 3-27-60

MONTGOMERY, March 28 (AP)— A pro-integration Negro leader has given a $50-a-week job to a Negro student expelled from Alabama State College for his part in anti-segregation demonstrations.

With that disclosure today, a vagrancy charge against Bernard Lee, 24, of Norfolk, Va., was dismissed in city court by Judge Eugene Loe.

Lee, ousted from Alabama State because of the recent student racial protests, had been ordered by the judge to show that he had a fulltime job or that he had made a sincere effort to find one.

That ultimatum came last Monday when the Negro appeared in court on a vagrancy charge and admitted he had not had a steady job since his expulsion from college on March 2.

Lee appeared in court today with a letter showing he had gone to work as youth director for the Negro First Baptist Church whose pastor, the Rev. Ralph D. Abernathy, is president of the pro-integration Montgomery Improvement Assn.

STATE BOARD ORDER

The Montgomery Advertiser
Montgomery, Ala.
Sun. 3-27-60

Trenholm Plans Purge Of 'Disloyal' Faculty

By THE ASSOCIATED PRESS

Alabama State College's president, Dr. H. C. Trenholm, said Saturday he will work with the state school superintendent to purge the college of "disloyal" faculty members.

This was ordered by the State Board of Education Friday after Frank Stewart, the state superintendent, said he had learned that at least 11 members of the Alabama State faculty haven't been loyal.

Trenholm said also that students who were convicted of disorderly conduct in city court as a result of a recent anti - segregation demonstration will be kept on probation.

They had been on probationary status, he said, since the incident which resulted in arrest of 33 students and one ex - student as well as one faculty member.

Thirty one of the group were convicted on charges of disorderly conduct and failure to obey police officers who had ordered them to disperse. They were fined $100 and costs in each case.

Trenholm said about three fourths of the students convicted are still in school.

The state superintendent investigated conditions at the state-supported Negro college at the request of Gov. John Patterson. He said he found at least 11 faculty members who haven't been loyal to the school.

These faculty members whose names he withheld "have not shown cooperation with the college in trying to get things straightened out," Stewart said.

He told the state board that three faculty members also participated in the forbidden demonstration near the capitol Sunday afternoon, March 6, which nearly resulted in racial violence.

Stewart also declined to make their names public.

The governor said he had been informed that pamphlets published by the Congress of Racial Equality (CORE) in New York had been distributed on the college campus to instruct students in how to carry out sit-in demonstrations.

Patterson, who presided as ex officio chairman of the school board, offered the motion himself to crack down on faculty members who have encouraged student protests.

He commented that as far as he is concerned Trenholm will have to straighten out the situation at Alabama State or the school board will find someone who can.

Trenholm has served as president of the Negro college for 35 years and was a faculty member four years before that.

Expelled students in group

The Advertiser
Montgomery, Ala.
Sun. 3-27-60

MONTGOMERY, (AP) — Thirteen Alabama State College students have applied for admission to the white University of Alabama extension center here.

Several of those who filed applications with W. W. Kempfer, center director, were in the group expelled from Alabama State College for seeking service at a white lunch counter.

Originally seven students applied for enrollment in the all-white institution, later this week others filed application bringing the total to 13.

The University of Alabama is under injunction not to bar applicants on the grounds of race. The university has had no colored applicants since Miss Autherine Lucy was enrolled at Tuscaloosa four years ago. The white students rioted and Miss Lucy was expelled "for her own safety." A U.S. judge ordered her reinstated but later she was again expelled for statements she allegedly made.

The first six to enroll at the educational center were Marzette Watts, Theophilus Moody, Floyd Willis Coleman, Bessie Ruth Cole, Eleanor Jane Shepherd and Gwen Lucretia Randolph, all of Montgomery.

Moody and Coleman were among 20 Alabama State college students put on probation by the State Board of Education March 2 when it expelled Watts and eight other demonstrators.

* * *

THE APPLICATIONS will be acted upon by authorities at the university's main office in Tuscaloosa.

In Little Rock, Ark., the president of the Little Rock School Board testified in Federal district court Wednesday that colored pupils in the city's integrated high schools were "shunned" and "isolated."

The board president, Everett Tucker Jr. said there was "an intangible area of attitude—of tolerance, if you will — and there is not a great deal the school board can do about that.

"This is a rather cruel situation for these children who are forced to exist every day with this sort of attitude by the white students, or, at least, on the part of a majority of them," Tucker said.

Tucker said the situation has greatly improved over 1957-58, when integration began with Federal troops guarding colored pupils at Central High. This year there are five colored pupils at Central and three at Hall High School.

* * *

THE LITTLE Rock School Board announced Tuesday that it would not begin desegregation at the junior high school level this fall, as was contemplated when Judge John E. Miller approved an integration plan in 1956.

The original integration plans, under which the board is operating, established three phases, beginning with the high school level, next the junion high schools and finally the grade schools.

At a secret meeting Monday, the board adopted a resolution stating that it would not move to the second phase in September, 1960 "because phase one has not been successfully completed and will not be successfully completed at the end of the current school year."

Herschel H. Friday Jr., board attorney, said the beginning of each phase was conditioned on the successful completion of the preceding one.

Wiley A. Branton of Pine Bluff, attorney for the plaintiffs, said the board's decision took him by surprise. He objected not only to the decision but to the introduction of it for approval of Judge Miller at this time.

ASC Classes Boycotted By Students

The Montgomery Advertiser
Montgomery, Ala.
Sun. 3-27-60

Trenholm Puts Blame For Low Attendance On Expelled Group

Several hundred students at Alabama State College stayed away from classes Monday afternoon following an anti-segregation rally at a church.

The classroom boycott reportedly was in protest to an order that about 100 students leave the campus because of failure to comply with registration rules.

Dr. H. Councill Trenholm, who issued the orders, said late Monday he had not learned the extent of the boycott but that reports from some of the classes indicated attendance was low.

He blamed the action on the "same crowd that was expelled."

This was in reference to the expulsion of nine students on March 4 for taking part in a "sit-in" demonstration at an all-white snack bar in the Montgomery County Courthouse.

CONFIRMED REPORT

Bernard Lee, 24, one of those ex-

pelled, confirmed a report that he addressed a student gathering at 1 p.m. Monday but he denied that he urged the students to cut classes.

"This is the first I knew about it," he said. "But if they're striking, my comment is 'God-speed'."

Lee said an estimated 600 ASC students attended the rally at Beulah Baptist Church, 625 S. Union St., but that he did not know who any of the other speakers were.

He said he was in the office of the Montgomery Improvement Assn. when "some students came in and asked me to address them." He said he went in the church and made his talk and then left immediately.

Lee said that in his talk, he told the students to "continue the struggle."

NO DISORDERS

There were no disorders Monday afternoon and there were no policemen on the scene. About 500 students stood about in small groups on the campus.

Trenholm said his action ordering the some 100 students from the campus was taken because they failed to take the necessary registration steps prior to the March 14 deadline.

He added that college officials had taken a firmer stand against late registrations than they once had.

"In the past we have been too lenient about late registration," Trenholm said. "This time we felt it necessary to insist upon compliance to the letter of the law."

Some of those ordered from the campus claimed the action was taken because they failed to return a "confidential" questionnaire to Trenholm's office. The questionnaire, they said, asked name and address, whether all bills were paid, whether the students attended last quarter and whether they planned to attend in the fall quarter.

They said they were not aware of the questionnaire until it was too late to return it.

Trenholm said no such questionnaire existed. He said the students will be permitted to return to school next quarter by following prescribed registration procedure.

Send $600 To Aid Ala. Students

MADISON, Wis.—(UPI)—University of Wisconsin students on Friday solicited $600 in contributions from faculty and students and sent the money to Alabama State college in Montgomery to aid students who are boycotting the school cafeteria.

The students collected the money in a one-day drive, after the student senate refused Thursday to act on a request for aid by the National Student Assn. in Philadelphia from universities and colleges which are affiliated with the association.

The money was sent to the school to aid the student body, which has refused to eat in the cafeteria until nine students who were expelled are reinstated.

The students paid semester contracts with the cafeteria and have no money to spend to eat elsewhere.

The president of the UW Senate said the matter would be considered at its next meeting March 22.

300 Students At Ala. State Snub All Of Classes

By United Press International

Negro students staged a demonstration in a rainstorm Tuesday on the campus of Alabama State College in Montgomery protesting the dismissal of 100 fellow students.

A group of 30 or more students from Tuskegee Institute in Alabama joined some 50 Alabama State students in the march around the campus, singing hymns and waving signs. State highway patrolmen were sent to the campus and police cars blocked the entrances to the school, apparently to prevent the demonstrators from leaving the campus.

Alabama State has been the scene of numerous recent demonstrations and Gov. John Patterson has ordered an investigation into whether the Negro school, supported by the state, should be closed. Alabama State authorities announced dismissal of 100 stuednts Monday for failure to meet a March 14 deadline for spring quarter registration.

A spokesman for the Tuskegee students said "we came here to show that we are friends, neighbors and brothers in misery" of the Alabama State students.

A classroom boycott had been called earlier and some 300 Alabama State students were reported staying away from classes. A similar boycott which started several weeks ago after nine students were expelled for participating in a lunch counter sitdown demonstration in downtown Montgomery.

In Baton Rouge, La., more than half the student body of Southern University Negro threatened to quit if seven students arrested during a lunch counter sitdown incident Monday are expelled.

The Louisiana students said that there would be further lunch counter demonstrations. Monday's incident was the first such protest to occur in Louisiana.

The Congress of Racial Equality CORE, which is spearheading the lunch counter sitdown movement in the South, announced plans to picket all 105 F. W. Woolworth stores in New York City next Saturday. CORE said it would be the largest boycott effort thus far in the drive to put an economic pinch on chains which adhere to segregation customs in the South.

38a 1960

ALABAMA

LUNCH COUNTER- SIT DOWN
ALABAMA STATE COLLEGE

SITDOWN STAGED IN ALABAMA SHOP

Sheriff Lines Up Negroes at Montgomery Courthouse in Deep South Protest

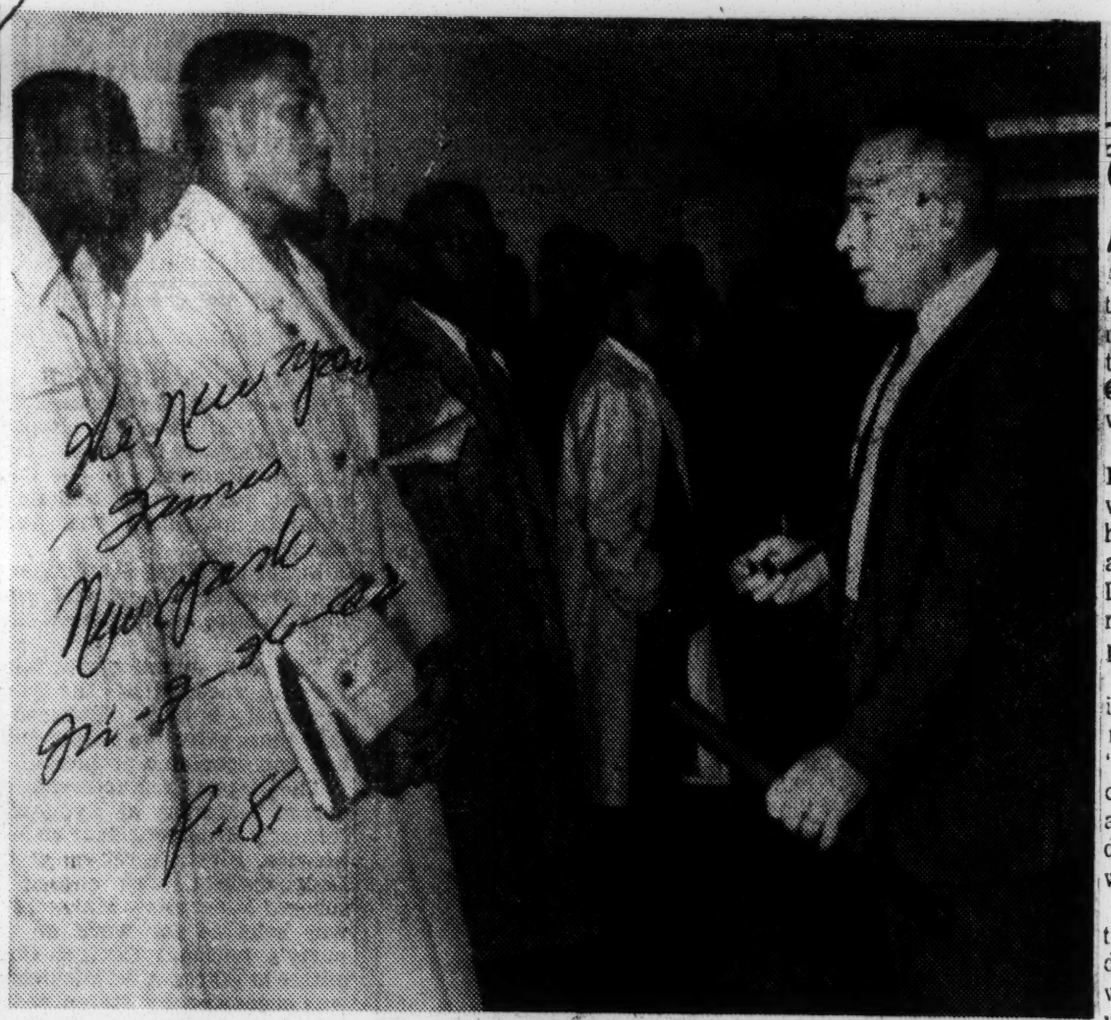
MONTGOMERY, Ala., Feb. 25 (UPI) — Negro students staged the Deep South's first segregated lunch counter sit-down demonstration today by taking seats in a snack shop in the Montgomery County courthouse.

They requested service, but the shop closed immediately. Sheriff Mac Sim Butler, brandishing a club, arrived and ordered the thirty-five Negroes to line up single file.

Pistol-carrying deputies patrolled halls outside the basement shop and state highway patrolmen took pictures of the Negroes, who stood quietly against the wall.

The students said they were from Alabama State College, a state-supported school for Negros here. Gov. John Patterson ordered an investigation and indicated that the students taking part would be expelled.

It was the first such "sit-down" in the Deep South states of Alabama, Georgia Mississippi or Louisiana since the passive protests against lunch counter segregation began in the Carolinas, Tennessee and Virginia three weeks ago.



Associated Press Wirephoto

DEMONSTRATION IN ALABAMA COURTHOUSE: Sheriff Mac Sim Butler, holding club, orders Negro students from Alabama State College to stand against wall after they were ejected from segregated snack shop in Montgomery County Courthouse. Students were allowed to stand in hall as long as they did not block traffic. No arrests were made.

Chattanooga Quiet

By CLAUDE SITTON

Special to The New York Times.

CHATTANOOGA, Tenn., Feb. 25—White and Negro leaders jointly blocked a recurrence of racial violence today over demonstrations against segregated lunch counters.

Officials said the crisis that had gripped this city of 150,000 persons on the Georgia border for two days had passed. Negro high school students were reported to have decided against any further protest.

Some 1,000 spectators, mostly white, gathered in a four-block area in the business section. They began dispersing about 5 P. M. after it became apparent that no Negroes would appear at lunch counters.

Six Negroes and three whites from 16 to 21 years were arrested and booked on charges that included loitering and carrying weapons. This brought the total of those seized to forty-one.

However, there was evidence that racial tension was still running high.

City officials and business and professional leaders had feared that a serious race riot was threatened.

Mayor P. R. Olgiatti conferred with white and Negro clergymen, who issued separate statements calling for an end to hostile acts.

The city's 196-man police force was placed on a twelve-hour shift.

Raleigh Trial Delayed

Special to The New York Times.

RALEIGH, N. C., Feb. 25—The trial of forty-three Negro college students arrested here on trespassing charges two weeks ago during a demonstration against segregated lunch counters was postponed in Raleigh City Court today.

A crowd of several hundred, mostly Negro college students, jammed the small courtroom. Judge Albert Doub postponed the trial after Raleigh Fire Chief Jack Keeter advised him thr crowd constituted a fire hazard.

Special to The New York Times.

RICHMOND, Feb. 25—Virginia enacted today three anti-trespassing laws aimed at discouraging sitdown protests against segregated eating facilities.

Requested by Gov. J. Lindsay Almond Jr. yesterday afternoon, the bills were pushed through the Legislature in a day and signed by the Governor this afternoon.

They provide maximum penalties of $1,000 fine and twelve months in jail. Property owners are not compelled to observe segregation.

The new law does not apply to the pending case of thirty-four Negro college students arrested here Monday for refusing to leave a store after they had been refused service at the store's white restaurant.

Negroes picketed the store today for the second day.

ASC Negroes Roar Approval Of Campus Walkout Threat

More than 1,000 Negroes from Alabama State College roared their approval when told at a meeting here Monday night that the student body would leave the campus if student demonstrators were expelled.

The mass meeting, held at the Hutchinson Street Baptist Church was one of two held by Negroes here Monday night. Both were addressed by the Rev. Martin Luther King, in Montgomery to make bond on two charges of perjury.

Bernard Lee, identified as president of the student protest movement, told the students that "we're going to assemble on the campus at 9 Tuesday morning—and we're going to move." He did not say where the students would "move."

The student leader also told the meeting that all ASC students would be notified and would walk out if any of the students who made protest marches to the courthouse last week were expelled. Expulsion of the students has been ordered by Gov. John Patterson.

The Rev. Ralph Abernathy, president of the Montgomery Improvement Assn., told the students that "you have our full backing" and encouraged them to continue their "movement." He said that "the Negroes of Montgomery will still have Rev. King for a leader even if he's in Kilby Prison."

King told the group that it "had gone too far to turn back" and said he knew the students would protest until they "turned this Cradle of the Confederacy upside down." He denied that he was guilty of perjury in the tax case and said he could not discuss the case because of legal considerations.

Abernathy announced that a "legal defense fund" had been initiated for King and intoduced five lawyers retained to defend him. Pledges for contributions were taken at the Hutchinson Street church and at the Bethel Baptist Church where the second meeting was held.

Abernathy also said that he "didn't like it one bit" that a Negro woman was beaten downtown and said that if Negroes did not have police protection downtown, they would stop going there. He added that if Negroes could not "find what they want" at shopping centers, they would buy from mail order houses.

The Rev. Solomon Seay Sr. told the meeting at Bethel Baptist that "we won't be going to the snack bars but to the University of Alabama."

Sitting Negroes Told To Follow Christ, Gandhi

NASHVILLE, Feb. 28—(AP) Demonstrators who protested segregated lunch counters in downtown Nashville followed a carefully-outlined plan. Each had a mimeographed sheet with these instructions:

Do show yourself friendly on the counter at all times.

Do sit straight and always face the counter.

Do report all incidents to your leader.

Do refer all information to your leader in a polite manner.

Do remember the teachings of Jesus Christ, Mohandas K. Gandhi and Martin Luther King.

Don't strike back, or curse back if attacked.

Don't laugh out.

Don't hold conversations with floor workers.

Don't leave your seat until your leader has given you permission to do so.

Don't block entrances to the stores and the aisles.

"Remember love and non-violence, may God bless each of you."

Involved in sitdown—

Patterson urges prompt action against students

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., Feb. 29—Gov. John Patterson today said prompt and decisive action should be taken against students at Alabama State College who participated in the initial sitdown move in a Montgomery white restaurant.

"The opening ringleaders should be punished for putting the community and its people in jeopardy," he said.

The governor, in a news conference, said officials can't condone actions such as those exhibited by the students. He expressed the opinion that prompt and decisive action will prevent violence.

"THIS IS NOT like a panty raid. If they had demonstrated at college and broken out a few windows that would be another matter.

"But this is dealing with grown men, coming downtown spoiling for trouble and for street fights."

Patterson said expulsion would be very light punishment in view of the circumstances.

"I think possibly there are some mitigating circumtsances on the part of some of the participants," he said, speaking of the 35 who led the first march.

"I THINK probably some of them were very young and were provoked by leaders such as (Rev. Ralph D.) Abernathy and (Martin Luther) King, who are trying to get somebody to do their dirty work for them."

Asked if the Board of Education might take action if College President Dr. H. Councill Trenholm does not, Patterson pointed out that the power of expulsion rests with the college.

Questioned further as to whether funds might be withheld if action is not taken by the president, he replied: "I don't think you can cut back funds when revenues are not producing enough to meet the budget.

"I would not arbitrarily withhold any funds set up by the Legislature."

Montgomery quiet, pastors pray for peace

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., Feb. 29—Sunday was a day of quiet in Montgomery following racial tension Saturday which brought club-carrying white men to the downtown business area.

Several white ministers made mention of racial troubles in their prayers and sermons. A Methodist Church issued a resolution deploring church links to segregations protests.

Atty. Gen. MacDonald Gallion called on "people of common sense, both white and colored, to control their passions," so that there would be no more violence.

He said it was "unwise on the part of the Negro leadership to be staging demonstrations" and urged them not to act with what he called "reckless unconcern for the public."

THE RESOLUTION, approved by the board of stewards of the St. James Methodist Church, read in part:

"For such demonstrations to be planned or encouraged in churches with the knowledge that riots and bloodshed may result, is to our mind a total denial of Christian teaching."

A rally of students from Alabama College for Negroes was staged at the Negro First Baptist Church. It's pastor, is the Rev. D. Abernathy, president of the Montgomery improvement Assn. He said last week that efforts by Negro students to obtain service at the Courthouse coffee shop was not his inspiration, but that he was encouraged by their efforts to seek equal rights.

Abernathy also said an appeal is being made to students of Auburn University, University of Alabama and Huntingdon College in Montgomery to join ASC students in a protest to Gov. John Patterson.

THE NEGRO STUDENTS have petitioned Patterson to renounce his order that partfcipants in the courthouse incident be expelled.

There has been speculation that Dr. H. Councill Trenholm, president of ASC, would make a report to the governor today. But Press Secretary Harry Cook said he knew of no specific time a report is to be offered.

Cook pointed out that a special meeting of the State Board of Education has been called for Wednesday to study Alabama school funds. He said he felt that Trenholm's report might be expected at that time.

THE MONTGOMERY County Board of Revenue voted today to prohibit everyone but county employes and their invited guests from eating at the Courthouse lunchroom.

Although no mention was made of racial tension which boiled up in Montgomery over the week-end, the move was designed to bar Negroes from the grill in the Courthouse basement.

The governing body of the county acted after a group of employes protested against what they called overcrowded conditions in the lunchroom, which always has been open to the public.

ONLY WHITE customers have been admitted. However, a group of Negro students from Alabama State College took seats in the restaurant Thursday and demanded service.

The grill was closed and they were ordered out. The lunchroom has remained shut down since then, but is expected to reopen Wednesday under the employes-only rules. Tomorrow, Mardi Gras Day, is a holiday.

The county officials said identification cards will be issued for employes and no one will be admitted to the lunchroom without a card. Guests will be served, the board said, if accompanied by an employe.

There are several Negro county employes working in the Courthouse. The board said they will be required to give their orders at the counter and take the meals outside to eat.

RUMORS OF ANOTHER Negro protest rally Saturday brought an answering demonstration by a small group of white men walking up and down the street with baseball bats plainly visible although they were partly covered by paper sacks.

Police made no effort to stop them because, they explained, it was no violation of the law to carry the clubs unless they were used.

Later, after an attack on a Negro woman, Police Commissioner L. B. Sullivan said no officer witnessed the incident and no complaint was made to police arrived after the violence police arrive dafter the violence had subsided and were unable to make an arrest without a complaint.

Ouster Call Aimed Only At 'Leaders'

Gov. John Patterson suggested Monday that all of the students of Alabama State College for Negroes who participated in Thursday's sitdown incident at the courthouse might not deserve to be expelled from school.

However, he insisted that expulsion of the ringleaders of the movement would be "very light punishment."

"There are some mitigating circumstances which I feel should be considered," he said. "Some of the students who participated in the incident were very young and inexperienced and were possibly misled by outsiders."

"All of them involved should be punished in some manner but whether everybody participating would be expelled is a matter to be determined by the State Board of Education," the governor added.

GIVES WARNING

In his first interview following the tense weekend in Montgomery, the governor also warned Negroes that "if they continue in their efforts to provoke a riot they will probably find one."

"If the Negro students had marched downtown Saturday there probably would have been a very serious riot and somebody could have been hurt or killed," he said. "It was a powder keg which could have easily blown up."

"If they (the Negroes) demonstrate downtown with conditions as they are now they will just be looking for trouble and it would be reasonalbe to expect we would have trouble," he continued.

Patterson said he felt the officials of the city and county "should be commended for the manner in which they handled the situation."

Asked if he felt the white men who patrolled Dexter Avenue Saturday armed with small baseball bats should have been arrested, Patterson replied:

"That's a matter which is entirely up to the city."

COMMENDS WHITES

The governor said he also felt the white people would be commended for their "tolerance and self restraint."

Patterson added that the State Board of Education will meet in his office Wednesday to determine what action will be taken concerning the Alabama State College students.

The president of that school, Dr. H. Councill Trenholm, met with Patterson is legal advisor—Bob Bradley—late Monday. Afterwards Dr. Trenholm told newsmen he had completed his report on the courthouse incident.

He had been ordered by Gov. Patterson to make a complete investigation of the matter.

Bradley declined to comment on the contents of Trenholm's report.

LUNCH COUNTER- SIT DOWN
ALABAMA STATE COLLEGE

38a 1960

ALABAMA

Student Protests Spread to Ala.

The Pittsburgh Courier

(Courier Press Service)

MONTGOMERY, Ala. — Alabama became the sixth Southern state hit by the spreading student sit-ins protesting lunch counter discrimination, when 35 Alabama State College students moved into the courthouse lunchroom last Thursday and asked for service. "We'll sit here until you serve us," they told the waitresses. The lunch counter was promptly closed till further notice by the management. The students left after staying for over an hour.

Sheriff Mac Sim Butler first started to arrest the students, but changed his mind, as they stood in orderly ranks lined against the wall of the lunchroom. They had been warned they were trespassing, after having been asked to leave. The incident, first in a Deep South state, brought swift repercussions.

■

GOV. JOHN PATTERSON ordered Dr. Council Trenholm, president of 'Bama State, to expel the demonstrating students. If he didn't do so, Patterson said, he would have the State Board of Education do it. The board administers the Negro college.

Asked by The Courier for a statement on the situation, Dr. Trenholm said:

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"We are just getting started into it and I am not in a position to make a statement." He had been instructed by Patterson to investigate fully to see if 'Bama State students were actually involved, and then expel them.

Q. "It appears that there will have to be an arbitrary decision made, doesn't It?"

A. "I just can't say now, but since the top persons have to be satisfied, it might be necessary to make an arbitrary decision."

In North Carolina, the heads of the colleges involved in the "sit-ins" have adopted a hands-off attitude, looking upon their students as acting in their capacities as citizens, rather than as representatives of the schools. This was the viewpoint expressed by Dr. Warmoth Gibbs, president of A&T College, Greensboro, N.C., where the "sit-ins" originated, as well as at J. C. Smith University in Charlotte, and N.C. College in Durham, N.C. In Chattanooga, Tenn., threats of expulsion have been made against high school student demonstrators.

Dr. Trenholm observed that only two of the N. C. schools involved were state-supported. There are actually four state-supported schools involved in North Carolina, and all have taken the same stand toward the situation. They are; A&T, Dr. Gibbs, president; N. C. College, Dr. Alfonso Elder, president; Winston-Salem Teachers College, and Fayetteville State Teachers College. The other schools are privately supported institutions.

■

THE SIT-INS also spread in South Carolina, where students of S.C. State College began their demonstration on Thursday.

In Alabama there are trespassing laws, and Montgomery has a city law forbidding the two races from eating together. The students in Montgomery said they were not acting on suggestions from any outside force. President Trenholm told The Courier the "sit-in" was a surprise to the college administration.

A decision was to be made Monday as to when the lunch counter would be reopened.—TWA.

1,000 Negroes Threaten Bama, Auburn Attacks

Jackson Daily News

Jackson, Miss.

Dec. 3, 1960

By United Press International

More than 1,000 militant Negroes threatened mass resignation from an all-Negro college today—possibly to begin integration attempts at Auburn University and the University of Alabama.

Their action swiftly followed an order by Gov. John Patterson and the Alabama Board of Education Wednesday aimed at blocking Negro efforts to desegregate lunch counters and other eating facilities in Montgomery, the state capital. The board ordered nine students expelled from Alabama State College and 20 others put on probation.

Patterson personally asked for the expulsion order. A few hours later, the Rev. Ralph D. Abernathy, a Montgomery Negro leader, told the college students the governor's action was "one of the greatest blunders in the history of education in Alabama."

VOTE TO QUIT

The students promptly voted to quit school. They had vowed earlier this week to "make news" at Auburn and the University of Alabama.

Abernathy told the students the Montgomery Improvement Assn., which spearheaded a bus boycott in 1956, would support them and that other Negroes "will be joining you in your protest."

In another major development, police arrested 65 more Negroes at Nashville, Tenn., for refusing to leave lunch counters at two bus stations. The arrests brought to 144 the number jailed since Saturday in Tennessee's capital city.

All but six of those arrested in Nashville have so far chosen to go to jail for 33 and one-third days rather than pay $50 fines on charges of disturbing the peace. Those arrested Wednesday refused to put up bond and joined 77 of their fellow demonstrators in jail.

Police and firemen broke up a demonstration at the Greyhound bus station in Nashville after Police Chief Douglas Hosse said he received a telephone threat that a bomb had been placed in the building. The Negroes refused to leave the bus station so that police could hunt for a bomb. None was found.

New sitdown protests against lunch counter segregation occurred Wednesday in North Carolina and Florida.

At Winston-Salem, N. C., 12 white and 12 Negro students were convicted of trespassing. The white students, from Wake Forest College, did not plan an appeal.

By House investigators—

Smith says his charges of staged sit-ins to be probed

The Birmingham News, Birmingham, Ala. Mon. 6/13/60 p.1

BY AL STANTON, News staff writer

MONTGOMERY, Ala., June 13—A congressional investigator is expected to come here soon for a preliminary investigation of charges by Public Service Commissioner Ralph Smith Jr. that a Negro demonstration on the State Capitol steps last March was partially staged by television cameramen.

Smith said today U. S. Rep Oren Harris (D., Ark.) telephoned him agreeing to look into complaints made by Smith.

REP. HARRIS is chairman of the House interstate and foreign commerce committee and also chairman of a House subcommittee on legislative oversight.

He has headed the House investigation into payola scandals in the television-radio industry.

Smith said Harris has agreed to come down for a preliminary investigation and later for a full investigation if the facts warrant it.

Smith had first complained to the Federal Communications Commission that NBC television cameramen had directed a Negro demonstration on the Capitol steps last Mardi Gras Day, a state holiday.

THE FCC merely replied to his letter, Smith said, and has taken no steps to an investigation. He said he then wrote Rep. Harris asking for a House inquiry.



SMITH HARRIS

Smith and other state officials including Gov. John Patterson watched the demonstration last March 1.

Smith said the cameramen waved the Negro crowd up the Capitol steps and directed them to demonstrate for the benefit of television cameras.

2 Arrested In Incident After Trial

The Montgomery Advertiser Montgomery, Ala. 6-13-60

Less than four hours after they had been fined for their part in an integrated dining incident, a Methodist minister from Boston and a Montgomery Negro were jailed when they asked to be served in the dining room of the Jefferson Davis Hotel here.

The Rev. R. Edwin King, 23, a Boston University theology student and part-time minister, and Elroy Embry, 33, who listed his address as 1226 S. Holt St., were charged with trespassing and failing to obey an officer.

City prosecutor David Crosland said the two would be tried in city court Wednesday if they are not released on bond, set at $200 each, by then. If they are freed on bond, he said, they will be tried within a week. Each charge carries a maximum $100 fine and six months in jail.

REFUSED TO LEAVE

Police officers J. F. Kennedy and E. Denis said the two men entered the coffee shop at the hotel and asked to be served. The manger of the hotel, C. A. Dione, refused service. When they refused to leave the all white dining area, police were called.

The manager repeated his demands in the presence of the police. Officers quoted King as saying he would not leave because he was a "guest of the hotel." Embry refused to leave because he was a "guest of King."

BOTH BOOKED

Both men were placed under arrest and booked at city jail. The trespassing warrant was signed by Dione. Late Monday night, they were still in jail.

Tuesday morning, King, Embry and six other Negroes were fined $100 and $43 costs for eating lunch with 12 other white students at the Regal Cafe here March 31. The Negro cafe was later ordered closed by city authorities.

Embry was one of nine Negro students expelled from Alabama State College March 2 for their part in a sit-in demonstration at the sandwich shop of the Montgomery County Courthouse.

In city jail, King told reporters that he now makes his home in Boston but that he is a native of Mississippi.

8 Convicted Of Mixing At Luncheon

Birmingham Post Herald 6-8-60

Sought Deliberately To Provoke Incident, Judge Declares

Birmingham Ala. Wed. 6-8-60

MONTGOMERY, June 7 (AP) — When seven Negroes and 13 white visitors ate lunch together in racially tense Montgomery, says Special Judge Sam Rice Baker, they sought deliberately to provoke an incident.

Baker drew that conclusion today in convicting eight of them of disorderly conduct and fining them each $100 plus $43 in costs.

Through their Negro attorney, the white ministerial student from Boston University and seven Montgomery Negroes immediately filed notice of appeal to the Alabama Court of Appeals.

The other 12 white visitors who ate with the group at a Negro cafe March 31 were tried separately last month, and all but one of them was acquitted by an all-white jury.

Baker, presiding as a special judge, tried the Rev. R. Edwin King of Boston University and the seven Negroes without a jury May 11. He delayed announcement of his ruling until he had studied written arguments submitted by opposing attorneys.

Acts Called Deliberate

In a lengthy written opinion read from the bench this morning, Baker said the defendants "deliberately did an act or acts which were calculated to provoke a racial incident, at a time and place and in a community where violence had been threatened and narrowly averted by racial incidents . . . "

He said an "atmosphere of tension between the races, and a general feeling of unrest" existed in Montgomery as a result of Negro student and anti-segregation demonstrations.

And, he added, the defendants were aware of it.

"From time immemorial it has been contrary to the customs, traditions, morals, decorum and tranquility of the people of Montgomery for white persons and colored persons to eat together in public restaurants," Baker wrote, "and it was not done."

Violence Possible

He said the integrated luncheon, which was broken up by police, could easily have brought violence in a city where "riot and violence had been narrowly averted on at least one occasion only by the massing or large concentrations of peace officers . . . "

That was a reference to an attempted Negro mass meeting near the state Capitol which attracted an angry crowd of some 4000 whites.

King and the seven Negroes—the Rev. S. S. Seay Sr., the Rev. R. E. Dubose Jr., James Richburg, Aner Ruth Young, Bessie Cole, Marzette Watts and Elroy Emory—were convicted of violating a newly-enacted city ordinance.

The law defines any act "calculated to provoke a breach of the peace" as disorderly conduct.

In the trial of the other integrated luncheon defendants, Dr. Richard Nesmith, head of the sociology department at MacMurray College in Jacksonville, Ill., was fined $100 and costs. His wife and 10 students were acquitted.

All 20 present at the luncheon had been convicted in City Court before their appeals were heard in state court.

The Justice Dept. in Washington said today Nesmith had filed a complaint about his treatment in Montgomery. It said the FBI had made preliminary inquiries about the matter.

Eight Convicted In Montgomery

The Commercial Appeal Memphis Tenn. 6-8-60

Integrated Luncheon Brings Guilty Verdict For Disorderly Conduct

MONTGOMERY, Ala., June 7.—(UPI)—A special circuit judge found seven Negroes and a young white minister guilty of disorderly conduct Tuesday for participating in an integrated luncheon March 31.

Negro Atty. Fred Gray of Montgomery immediately filed a motion for a new trial. He said if a new trial is denied he would appeal the eight misdemeanor convictions to the Alabama Circuit Court of Appeals.

Each defendant was fined the maximum of $100 and $43 in court costs. Judge Sam Baker said they could either pay the fine or spend 143 days at hard labor working it off.

The seven Negroes, including two local ministers, were impassive as they were sentenced by Baker after he read his 30-minute decision.

But the Rev. R. Edwin King Jr., a young Methodist minister studying at the theological school at Boston University, visibly grimaced with disgust.

Earlier, King loudly objected to the bailiff segregating him from the seven Negro defendants.

"I would like the court to know I consider myself one of the prisoners," King said as bailiff Eddie Mosely forced him to sit on the right side of the courtroom while the Negroes remained seated on the left. The incident occurred two minutes before Judge Baker entered the courtroom.

Convicted were Revs. Solomon S. Seay, vice president of the pro-integration Montgomery Improvement Association, and Robert Earl Dubose, Episcopalian minister; Bessie Cole, James Richburg, Ruth Young, Elroy Embry, Marzette Watts and King.

Embry and Watts were expelled from Alabama State College for Negroes recently when they participated in an attempt to integrate the all-white snack bar at the Montgomery County Courthouse.

Ironically, the 10 white students from Macmurray College at Jacksonville, Ill., with whom the Negroes ate lunch, were acquitted by an all-white jury last month. The Negro defendants and King, however, waived jury trial.

Baker emphasized the court was not implying that integrated eating was unlawful but that the conduct of the defendants in racially tense Montgomery "tended to incite a breach of the peace contrary to the customs, traditions, decorum and tranquility" of this Deep South capital.

Eight get fines in integrated capital lunch

The Birmingham News, Birmingham, Ala. June 6/7/60

MONTGOMERY, Ala., June 7—(AP)—A white college student and seven Negroes were convicted of disorderly conduct today for eating lunch together in a Montgomery Negro cafe.

They were fined $100 plus costs totalling $43 each and immediately filed notice of appeal.

Integrated Lunch Try Brings Fine And Jail

Birmingham Post-Herald
Birmingham, Ala.
Thurs., 6-9-60
P, 1

Boston Minister, Montgomery Negro Are Found Guilty On Two Charges

BY JOHN J. McDAVITT JR.

MONTGOMERY, June 8 (UPI)—A white Northern minister and a former Negro college student were fined $200 each and sentenced to 10 days at hard labor today for their second integrated luncheon attempt.

Recorder's Court Judge D. Eugene Loe Jr. found the Rev. Ralph Edwin King Jr., 23, of Boston, and Elroy Embry, 33, of Montgomery, guilty on two charges—trespassing and refusing to obey an officer.

Loe, in passing the sentence, told the young defendants their luncheon attempt at an all-white hotel coffee shop was "calculated in hopes of being arrested and giving you notoriety or whatever it is you are after."

Negro Atty. Charles D. Langford immediately filed an appeal.

King and Embry were arrested yesterday afternoon when they walked into the coffee shop of the Jefferson Davis Hotel and demanded to be served.

Hotel Manager C. A. Dione told the court he asked the men to leave the coffee shop shortly after they entered. "I asked them to please vacate. I told them I can't serve them.

"They refused to leave, so I told the girls (waitresses) to close the shop."

Police Called

Dione said he called police after the Methodist minister, studying at the Boston University Theological School, and his Negro guest again refused to leave. When Dione returned to the shop, he said King asked him for a glass of water. "But I told him I couldn't serve him anything.

"When I found out he was registered at the hotel, I asked him to check out by that night," Dione said.

The hotel manager admitted under cross examination King would have been served with no difficulty alone "but he was with a colored fellow."

Mrs. Mary Sanders, a waitress at the coffee shop, testified King told her earlier "the town would rock" if he was sentenced to jail for disorderly conduct in the earlier integrated luncheon.

King and Embry entered the coffee shop two hours after they were fined $100 plus $43 in court costs in Montgomery Circuit Court along with six other Negroes on the disorderly conduct charges.

All Free On Bond

All were freed on $500 bond pending a decision on a motion for a new trial.

Special Circuit Judge Sam Baker said the conviction of King and the seven local Negroes did not imply integrated eating was illegal but that the conduct of the defendants "tended to incite a breach of the peace contrary to the customs, traditions, decorum and tranquilty" of this Deep South capital.

Ironically, 10 white students from MacMurray College at Jacksonville, Ill. were acquitted of the disorderly conduct charges in connection with the March 31 racially-mixed luncheon with King and his companions.

Dr. Richard Nesmith, MacMurray professor leading the 10 students on a sociological survey of the south, was convicted of disorderly conduct and fined $100 and costs. He appealed to the Alabama Circuit Court of Appeals which handles misdemeanor cases.

The Justice Dept. said Monday Nesmith filed a complaint about his treatment in this cradle of the Confederacy and that the FBI has made preliminary inquiries into the incident.

King told newsmen from his cell he and Embry did nothing wrong, but admitted he had felt "something would happen" when he and the Negro entered the coffee shop.

"I thought we would get lots of stares but that was about all," he said.

King also disclosed an NAACP-affiliated Boston organization has financed his fine and expenses on trips back and forth.

Ten other white college students who attended the integrated luncheon were acquitted earlier by an all-white jury along with the wife of an Illinois professor.

BUT THE EDUCATOR, Dr. Richard Nesmith of Mcmurray College, was convicted by the same jury.

Special Judge Sam Rice Baker, who presided over their trial, said in a lengthy written decision that the Negroes and the white student, the Rev. R. Edwing King of Boston University, committed an act "calculated to provoke a breach of the peace."

Under a recently enacted city ordinance, such an act constitutes disorderly conduct.

BAKER, IN upholding the city law, said racial tension existed in Montgomery at the time the white visitors and the Negroes ate together on March 31 and that they were aware of it.

He said their conduct was a deliberate act to produce a racial incident which could have led to violence if police had failed to arrest them and break up the integrated luncheon.

King and seven Negroes were tried by Baker without jury.

The Negro defendants were the Rev. S. S. Seay Sr., the Rev. R. E. DuBose Jr., James Richburg, Aner Ruth Young, Bessie Cole, Marzette Watts and Elroy Emory.

The latter five were students at Alabama State College, but Watts and Emory were expelled for taking part in student demonstrations against segregation.

All 21 of the defendants who attended the integrated luncheon were convicted on their first trial in City Court. Their most recent trials came on appeal to state court.

1200 Negroes March to Capitol, Pray, Sing Anthem in Alabama

By Julius Duscha
Staff Reporter

MONTGOMERY, Ala., March 1—Nearly 1200 Negro college students quietly marched on the Alabama State Capitol this morning.

State and local police patrolled the 2-mile line of march. So did a few carloads of white youths.

Student leaders at Alabama State College organized the march as a demonstration of the solidarity of the student body in support of 35 youths who staged a sitdown strike Thursday in the lunchroom of the Montgomery County court house.

At a hymn-singing, hand-clapping meeting in a Baptist church last night more than 800 students agreed to leave their classrooms if any of the sitdown demonstrators are expelled from school.

The State Board of Education will meet Wednesday to decide whether any action should be taken against the 35 students.

Gov. John Patterson said yesterday that at least the leaders of the sitdown demonstration should be expelled.

Weather Clear, Crisp

It was a good day for a walk this morning. The weather was crisp and clear and the students marched in pairs from the campus through a rundown Negro section of Montgomery to the trim white Capitol building.

They gathered on the white marble steps where Jefferson Davis had taken the oath of office as President of the Confederacy 99 years ago. A twice life-size statue of Davis stands to the left of the steps.

It took 20 minutes for all the students, who constituted more than half of the student body at the all-Negro school, to congregate on the steps. At times the line stretched halfway around the Capitol grounds.



United Press International

More than 1000 Negro college students staged a giant rally yesterday in front of the Alabama state Capitol building in Montgomery, singing hymns.

The students carried books. Many of the men were dressed in gray flannel suits or in neat sweaters and slacks. Some of the women wore high heels.

Occasionally the students conducted scarcely audible conversations, but for the most part they said nothing.

Bow Heads in Prayer

When all of the students had gathered on the Capitol steps one of the leaders of the sitdown demonstrations asked them to bow their heads in prayer.

While the students said the Lord's Prayer slowly and deliberately, Anna Young, one of the demonstrators, sang in a rich contralto voice, "Our Father, Which art in Heaven . . ."

Then the students sang the "Star Spangled Banner." The words, "land of the free and home of the brave," rang out across the Capitol grounds.

As the students sang, state officials watched silently from the columned entrance to the Capitol. Among the officials were Attorney General MacDonald Gallion; Sam Engelhardt, Highway Director and chairman of the Democratic State Executive Committee; Floyd Mann, Director of Public Safety; Ed Livingston, Chief Justice of the State Supreme Court; and Chief Joe Smelley of the Highway Patrol.

The Governor was reported to have been in his office in the Capitol. State and local offices were closed in observance of Shrove Tuesday, a legal holiday in Alabama.

March Back to Campus

After standing on the Capitol steps for half an hour the students marched back to the campus, where one of their leaders told them "we now know where the student body of Alabama State is" on the question of the sitdown movement.

Today's march came one month after the first sitdown demonstration by a group of Negro students in Greensboro, N. C.

Since then the demonstrations have spread throughout the South. They have been characterized by the passive resistance spirit which permeated today's march.

But there was nothing passive about the church meeting last night where the students decided to march on the Capitol.

The brown-and-white church was jammed with students. The balconies on three sides of the sanctuary rocked and the students in them rolled as hymns were sung.

The students seem to give new meaning to "The Battle Hymn of the Republic," which they sang with an abolitionist fervor.

Minister Prays

"Oh Lord God," a minister who gave the prayer said in a high, emotional voice, "hear us tonight, if you please . . . help us, oh Lord, help us."

But the loudest cheers came when the Rev. Martin Luther King entered the church and spoke briefly.

Mr. King pleaded with the students never to resort to violence in their demonstrations.

"You have now presented the opposition with a technique that they don't know what to do with," he said.

The state officials who watched the students assembling on the Capitol steps this morning looked as if they did not, indeed, know what to do.

"Can't we do anything," one of them said, almost as if he were thinking aloud, "to get rid of those black bastards?"

Students Quit Exam Boycott

Move Follows Advice By Leaders To Return To Classes

By United Press International

MONTGOMERY, Ala., March 3.—Negro students at Alabama College quit their boycott of ... examinations Thursday on the advice of nine leaders expelled for spearheading anti-segregation demonstrations.

More than 1,000 students — over half the student body—refused to attend their early morning exams in protest against the expulsion of their nine classmates. But in a surprise reversal this afternoon, most of the students returned to their classrooms.

Marzette Watts of Montgomery, one of the dismissed leaders, urged the students to go back to school "for the best interests of yourselves and the schools."

Watts said the students' next move would be decided at a mass meeting Friday at 6 p.m. at the Hutchinson Street Baptist Church where the students pledged to resign en masse Monday night if anyone was expelled for the recent demonstrations.

State Board Acts

The 11-man state Education Board, headed by Gov. John Patterson, expelled the nine "ringleaders" Wednesday at the request of the Chief Executive.

At a called mid-morning press conference, the nine leaders, joined by six others, called upon the people of the nation to support them in their protest against Southern segregation.

Bernard Lee of Norfolk, Va., said, "We cannot accept as just and fair the punishment that has been pronounced on us by the Governor of this state and the Board of Education. We have broken no laws, we have assaulted no one, we have violated no rules of the college to justify the action."

Lee Replies

When it was pointed out that Alabama law forbids Negroes and whites eating together in public or private establishments, Lee replied, "When state and Federal laws are in conflict, we will follow Federal law which takes precedence."

The students were dismissed for trying to integrate the white-only snack shop at the county courthouse last Thursday. Thirty-five students entered the grille, sat down at the tables and ordered coffee and doughnuts. They left after the snack bar was closed and they were told they were trespassing. There were no incidents of violence.

NO SIGN OF WALKOUT

The Montgomery Advertiser

Alabama State Students Open Spring Registration

Montgomery, Ala.

Jan. 3-8-60.

By DICK HINES

Students at Alabama State College calmly proceeded with registration processes Monday and there was no immediate evidence of a mass walkout at the Negro institution.

No demonstrations took place during the day and President H. Councill Trenholm said there was "no overt action" on the part of student leaders.

But he stated his office had received reports that some students seeking to enroll for the new spring quarter were being "subjected to pressures, the extent of which cannot be measured yet."

MIDDLE OF WEEK

Large groups of ASC students last week threatened to leave the school as the result of the explusion of nine persons who participated in an anti-segregation "sit-in" demonstration at the Montgomery County Courthouse.

Trenholm said it may be the middle of the week before it can be determined whether there will be a drop in enrollment.

"Technically, students have until next Monday to enroll, although they will have to pay late registration fees after Thursday," he stated.

He said 1,182 students filled out pre-registration forms last week, indicating their intent to attend school for the quarter just beginning. These students lined up Monday to pay fees and receive class schedules.

NO IMMEDIATE COUNT

Trenholm said a count on those who followed up on the pre-registration action was not immediately available. Others will begin the registration processes Tuesday afternoon, he said.

The campus scene Monday was calm and orderly although a few of the students identified as having taken part in the sit-in demonstration were spotted in small groups at the intersection of Jackson and Thurman streets and near the buildings.

But there were no reports that the anti-segregation spokesmen were attempting to stop other students from coming on the campus and registering.

Rumors that a large throng of Negroes would appear during the day to register as voters failed to materilized.

Late in the afternoon, only 19 Negroes had appeared at the courthouse to make their bids for registrations.

38a 1960 ALABAMA 9 EXPELLED ALABAMA STATE COLLEGE
LUNCH COUNTER- SIT DOWN

Student Ouster Sparks Negro College Walkout

The Montgomery Advertiser Montgomery, Ala.

9 Expelled, 20 Given Probation

Nine Negro students were expelled from Alabama State College by the State Board of Education Wednesday for participating in racial demonstrations last week.

A few hours later an estimated 1,000 students at a mass meeting voted to quit school in a protest strike.

The Rev. H. H. Johnson, pastor of Trenholm to expel the students, came after a week of racial tension.

The nine men were ordered ousted from state-supported Alabama State College for their part in recent anti-segregation demonstrations. They were identified as leaders of the protest movement.

Twenty others were ordered put on probation "pending good behavior."

The board, acting on the insistence of Gov. John Patterson, invoked a regulation which empowers school authorities to expel any student for conduct detrimental to the college. Patterson contended the student demonstrations threatened bloodshed in Montgomery.

MASS MEETING

Hundreds of students attending a mass meeting Wednesday night resolved to remain away from class until the nine are reinstated.

The Rev. H. H. Johnson, pastor of the Hutchinson Street Baptist Church where the students met, said there were 1,000 or more in the audience.

Johnson said the students also chanted, "Can't go Alabama, We go Auburn," a renewed threat to seek enrollment at one of the state's two white universities.

The Rev. Ralph D. Abernathy, president of the pro-integration Montgomery Improvement Assn., told the students the expulsion order was "one of the greatest blunders in the history of education in Alabama."

He reassured them of the support of his organization and said the Negro people in Montgomery "will be joining you in your protest."

Abernathy and student spokesmen announced a news conference for 10:30 a.m. Thursday.

The state school board's action ordering President H. Councill Trenholm to expel the students, came after a week of racial tension.

The governor agreed the expulsion order could be effective Friday, when the quarter ends at the school.

But he insisted the expulsion order be made a part of the nine students records and Trenholm said that would be done.

RACIAL CRISIS

Wednesday's board action grew out of a racial crisis here, begun last week when about 30 Alabama State Negro students entered the Montgomery courthouse cafeteria and asked to be served. Tuesday, a bigger group gathered on the Capitol steps, sang a hymn and the National Anthem, and peaceably departed.

Saturday afternoon a Negro woman was hit on the head by white man wielding a ball bat at a downtown intersection.

OUT OF STATE

Five of the nine male expellees are from out of state. However, at least two of these were born here and migrated.

The nine expelled are:

Bernard Lee, Norfolk, Va., identified as the apparent leader of cafeteria and other demonstrations by students in recent days; St. John Dixon, National City, Calif.; Edward E. Jones, Pittsburgh, Pa.; Leon Rice, Chicago, Ill.; Howard Shipman, New York City; Elroy Emory, Ragland; James McFadden, Prichard; Joseph Peterson, Newcastle, and Marzette Watts, Montgomery.

The board's unanimous vote, approving a motion by the governor, came after Dr. Trenholm, president of the Negro state school, gave a report on his investigation.

Trenholm recommended all the students involved be reprimanded and put on probation from now on.

Gov. Patterson quickly brushed this suggestion aside and insisted the nine "leaders" should be expelled.

Trenholm had said earlier that his suggestion might be "a wiser step to prevent pretexts for some things."

Some of the Negro students at Alabama State have said they will apply for admission at Auburn if they are expelled.

But Patterson replied:

"If we ever bow to a mob, we are on the way out. That could only lead to worse."

"We ought not," he continued, "to do anything as a result of a threat. The ringleadrs ought to be expelled without further hesitation."

RACIAL INCIDENTS

While Dr. Trenholm was instructed last week by the governor to investigate the racial incidents involving students, the governor also carried out a second investigation, apparently over-seen by Floyd Mann, director of public safety.

The names listed for expulsion and probation were on a mimeographed statement submitted to the board by the governor, not be Trenholm.

Trenholm indicated he had found a similar number of leaders, and identified Bernard Lee as the apparent chief leader, though he said he could not "confirm" this.

The 20 students put on probation were:

Henry Allen, Seale; Richard Ball, Fairfield; Willis C. Battle, Phenix City; Cornelius Benson, Birmingham; Samuel Bouie, Anniston; Floyd Coleman, Sawyerville; Henry Crawford, Montgomery; James Earl Davis, Prichard; Thomas C. Ervin, Heflin; Arthur Lee Foster, Montgomery; Isham Harris, Troy; Jonathan Hicks, Chatom; Trenholm Hope, Selma; Jerry Lee Johnson, Collinsville; Andrew William Jones, Birmingham; Eddie Lee McSwain, Eufaula; Theophilus Moody, Camden; Joe Louis Reed, Evergreen; William Renfroe, Roba; Robert Lee Woods, Heiberger.

TELEGRAM QUOTED

Gov. Patterson, in asking for explulsion of the leaders, said they were unrepentant.

He quoted a telegram from Bernard Lee to him saying the students "have no sense of shame or regret for our conduct."

"These fellows are not going to quit," the governor went on.

He also said Lee sent Tuskegee Institute student leaders congratulations for "their stand against Southern traditions."

Saying the students are requiring extra police because they are trying "to provoke a riot," the governor said there will be "disorder and violence" if the students march downtown.

Dr. Trenholm was asked for his view on the attitude of the student leaders which he found in interviews with them:

They are "obsessed with obligation and conviction," he told the board.

He said they apparently don' "believe they have done any thing wrong." This was in re sponse to a question by the gov ernor using almost those exac words.

MAINTAIN ORDER

Asked if he felt he could maintain order at the school hereafter, Trenholm said he believes he can.

Some board members asked if any "outside" organization or agitation had a role in causing the students marches and attempts to eat at the white courthouse cafeteria.

He said there were rumors of "a manuel of directions," but he could not "identify that."

Trenholm added "some clearance on what could be expected legally and financially before the incidents" was likely made.

This apparently meant that students had prior knowledge as to whether lawyers would defend them and who might financially help students who suffered for their activity.

Rev. Ralph Abernethy, president of the Montgomery Improvement Assn., has consulted with some of the students since the cafeteria incident. However, he denies any inspiration of the students movement as did Rev. Martin Luther King, who returned here earlier this week to make bond on a perjury indictment.

Negro Leaders Skip Commission Meeting

No Negro groups showed up at City Commission and there was no discussion of the racial situation during the session.

The Rev. Ralph D. Abernathy, president of the Montgomery Improvement Assn., and other Negro leaders came to City Hall Tuesday seeking to sit in on a commission meeting. However, Tuesday was a holiday and the Negroes were told the meeting would be held on Wednesday.

The only reference to the week-long racial crisis in Montgomery was made by the Rev. David Carter, Methodist minister who gave the invocation.

His prayer included a statement that "if we ever needed Thy wisdom and guidance, it is now," and he called for the replacement of "all bitterness in our city" with divine love.

Nine Students At Ala. State Ousted In Lunch Protests

Birmingham World Birmingham, Ala. Ast 3-5-60

Nine students at Alabama State College were expelled Wednesday for taking part in recent protests against lunch counter segregation. Twenty others were placed on probation.

The expulsions were ordered by the State Board of Education on a motion by Gov. John Paterson, chairman of the 11-man board.

It was the sharpest action to be taken against student demonstrators since the current South-wide wave of protests against segregated eating facilities began over a month ago.

Patterson, in recommending the ouster of the nine students, referred to them as "ringleaders" and said "they have no right to jeopardize the city of Montgomery. Any further demonstrations would lead to violence and bloodshed."

He also oderede H. Councill Trenholm, president of the Negro institution, to place the expulsion notices on the students' permanent records "to protect other schools to which they may apply. These fellows are not going to quit, and I don't think it's unreasonable to make them behave."

The expulsion order sparked a threat by over 1,000 students at the Alabama institution to resign en masse if the edict is carried out. They also threatened to wage an economic boycott on white merchants downtown area.

The nine students were identified as: Bernard Lee of Norfolk, Va., the student leader; St. John Dixon of National City, Calif.; Edward E. Jones of Chicago, Ill.; Howard Shipman of New York City; Elroy Emory of Ragland, Ala.; Joseph Peterson of New Castles, Pa.; and Mazette Watts, of Montgomery.

Alabama State Expels 9 Negroes For Lunch-Counter Disorders

United Press International

The South's lunch counter revolution grew more intense yesterday with fresh desegregation demonstrations and the threat of mass resignations by the student body of a Negro college.

The day's biggest flareup was in Montgomery, Ala., where the Governor and the State Board of Education ordered expulsion of nine Negro students of Alabama State College, ring leaders in a group, who tried to desegregate a courthouse lunch counter last week.

Chanting students, numbering well over 1000, boycotted winter quarter exams. They milled about the campus shouting that they would resign en masse from the State-supported school to protest the expulsions.

"On to Auburn—On to Alabama," the demonstrators chanted. These are the State's two big white universities.

The expelled students told newsmen they could not accept the punishment ase "just and fair" and called on the entire Nation to support them.

"We have broken no laws, we have assaulted no one, we have violated no rules of the college," said Bernard Lee of Norfolk, Va., spokesman for the group.

Demonstrations also broke out again in Columbia, S. C., where students of two Negro colleges marched through the main street of the capital city and attempted to get service at 10 downtown lunch counters.

Apparently because of the confusion of a waitress, several Negroes actually were served at one Columbia variety store lunch stand. But the management swiftly closed the place as soon as the situation was discovered.

The Rev. James Lawson, Jr., a Negro divinity student at Vanderbilt University in Nashville, Tenn., was expelled following discovery that he was instructing Nashville Negroes in passive resistance techniques.

Lawson was offered the chance to resign from Vanderbilt but rejected it.

University Chancellor Harvie Branscomb said the issue was not whether Lawson was interested in desegregation but "whether or not the University can be identified with a continuing campaign of mass disobedience of law as a means of protest."

Lawson, a 32-year-old divinity school senior and field representative of the National Fellowship of Reconciliation, conferred with Divinity School Dean Robert Nelson prior to today's action.

Nelson gave him a statement saying, "Your strong commitment to a planned campaign of civil disobedience compels the executive committee of the board of trustees to ask you to withdraw from the University."

A total of 144 sitdown demonstrators, five of them white, have been arrested in Nashville. Sixty-one have gone to jail rather than post bonds.

Nashville City Attorneys asked conviction of six Negroes on charges of conspiracy to disrupt trade. Conviction on the charge carries a maximum $5000 fine and almost a year in jail.

The Rev. E. H. Hardge, president of the Winston-Salem, N. C., chapter of the NAACP, said convictions of 12 Negroes there for counter demonstrations would be appealed all the way into Federal courts if necessary. The only penalty they received was a lecture.

Hardge said the cases would be "used as tests" in an effort to win southwide lunch counter desegregation.

Negroes braved an eight-inch snowfall in Richmond, Thursday to picket the city's largest department store (Thalhimer's) for the 10th straight day in a protest of segregated lunch counters.

College To Expel 9 Negro Students

Alabama Board Acts After Recent Demonstartion

MONTGOMERY, Ala., March 2.—(AP)—The State Board of Education Wednesday ordered the expulsion of nine Negro college students for taking part in recent anti-segregation demonstrations here.

Acting on the insistence of Gov. John Patterson, the board also directed President H. Councill Tremholm to put 20 other students at Alabama State College on probation and permit them to remain in school "pending good behavior."

Governor Patterson told the board and Dr. Tremholm that the action was necessary "to prevent bloodshed in this city."

In adopting the motion by the Governor, who presided over the board meeting as ex-officio chairman, the board members rejected a suggestion by the college president to reprimand all 19 students and allow them to start the next quarter at the college beginning next week on a probationary basis.

LUNCH COUNTER
ALABAMA STATE COLLEGE (STUDENTS- EXPELLED)
CASE

GOVERNOR ON STAND

Montgomery Advertiser

Court Weighs Re-Entry For 6 Ousted Students

Montgomery Ala.
Tues. 8/23/60

By ART OSGOODE

Six Negro students at Alabama State College expelled for taking part in racial demonstrations sought reinstatement in a hearing before U.S. District Judge Frank M. Johnson Jr. here Monday.

Gov. John Patterson and members of the State Board of Education took the stand in the afternoon to give their reasons for voting to expel the six students, and three others who are not parties to the suit.

Negro attorney Fred Gray, representing the six students, presented only four witnesses: St. John Dixon, one of the defendants; Advertiser Reporters Bob Ingram and Dick Hines, and Dr. H. Councill Trenholm, president of the college.

Judge Johnson took the case under advisement without indicating when he will issue his decision.

'SIT-IN' PARTY

The Negroes were all participants in a "sit in" demonstration in which approximately 30 ASC students sought service at the snack bar in the local county courthouse.

Besides the nine who were expelled, 20 others were placed on probation by Trenholm, acting under instructions from the school board.

Gov. Patterson testified that he called in Trenholm for a conference on the afternoon following the courthouse demonstration.

The governor said he gave Trenholm "what I thought was advice" to expel the ringleaders in the demonstration.

He also testified that he intimated to Trenholm that if he failed to act on expelling the students it might hurt the school's chances of getting its appropriation of state money.

"I mentioned to Dr. Trenholm that we had great trouble in financing our school system" he said.

He told of other demonstrations by Negro students that occurred prior to the expulsions and said there was "racial tension in this community as a result of the actions of these students."

These other incidents were also taken into account when the board voted to ask Trenholm to expel the nine students, he said.

"If something had not been done, in my opinion it would have resulted in violence," the governor testified.

Cross-examined by Gray, he said he did not know who the ringleaders among the students were when he urged Trenholm to expel the mshortly after the sit-in incident.

'WITH REGRET'

Anniston newspaper publisher Harry Ayers, a member of the school board, said he voted to expel the students "with regret."

Asked his reason by Gray, Ayer replied it was because the students were violating "the law of separation of the races."

Other school board members testified that they voted to expel to maintain college discipline and to prevent injury to the state-owned institution.

ASC President Trenholm, first witness called by Gray, said that a letter informed the students they were being expelled for actions "prejudicial to the school."

The board of education took the initiative in the expulsion, he said. He also said he could "only give an opinion" as to the reasons for the expulsion.

He said that at the conference with Patterson, the governor had made it plain that the action he wanted taken would apply to any state-owned institution.

NO HEARING

Trenholm said the students did not receive a hearing before they were expelled.

Dixon, only one of the six students to testify, said he sought service at the courthouse snack bar "because I felt I was right in going there to get service."

He said he remained after he was refused service as "a way to show I wanted to get served."

Cross-examined by Asst. Atty. Gen. Gordon Madison, Dixon said he spoke with Negro minister Dr. Ralph Abernathy before the sit-in attempt. But he did not admit any meetings with out-of-state organizers from CORE or other Negro interation groups.

He named Bernard Lee as a leader in the student demonstrations, but denied that he himself had assumed any leadership. He said he was not told he had been guilty of misconduct.

Reporter Ingram said Trenholm had told him after his conference with the governor that he had "no choice but to comply."

Hines told of seeing the Negro demonstrators at the courthouse.

Seven Arrested In Sit-In Effort

Bham Post-Herald
Bham, Ala.
Dec. 8-16-60

Roundup Includes Four Juveniles

Seven young Negroes, four of them juveniles, yesterday attempted a second "sit-in" demonstration at lunch counters in four downtown stores.

All were arrested within a matter of minutes by police and charged with "trespassing after warning."

Taken into custody were Catherine Burks, 20, 1513 Tallapoosa-st; Edward Reese, 18, 1016 Fourth-st, w; Elbert Woodall Jr., 18, 4730 Fourth-av, s; Virgil Gibson, 15, 3309 20th-av, n; Earnestine Bickerstaff, 16, 4602 Roscoe-av; Francais Elizabeth Foster, 16, 3188 29th-av, n, and Carolyn English, 15, 804 46th-st, n.

Enrollment Attempted

The English girl is the daughter of Van English, who attempted to enroll her at Woodlawn High School at the same time the Rev. F. L. Shuttlesworth attempted to enroll a daughter at Phillips High School.

Denied entrance, they have taken their cases to court.

The three older demonstrators were placed in City Jail. The remainder were turned over to juvenile authorities.

The stores at which they were arrested included Loveman's, Pizitz, Newberry's and Kress'.

Shuttlesworth Blasted

Declared Commissioner Eugene Connor after the arrests:

"Shuttlesworth . . . has stooped to a new low in using children to do his dirty work.

"We know he's behind this thing because he's the one who called the newspapers, radio and television — everybody but the police.

"We don't care what the Democrats and Republicans say in their platforms about sit-ins, they might as well make up their minds they're not going to 'sit-in' in Birmingham."

STUDENT AND NEGRO JAILED IN ALABAMA

The New York
Tue. 8-16-60

MONTGOMERY, Ala., July 12 (AP)—A visiting white theology student and a Montgomery Negro were jailed again today after their second conviction for trying to dine together in a downtown hotel.

Fined $100 apiece and ordered held pending further sentencing tomorrow were the Rev. R. Edwin King, 23-year-old part-time Methodist minister and student at Boston University, and Elroy Embry, 33.

After hearing their appeal case without a jury, Circuit Judge Eugene Carter convicted them on a trespassing charge. He dropped charges of refusing to obey an officer.

Judge Carter levied the fine immediately and ordered Mr. King and Mr. Embry jailed until he handed down a decision tomorrow on the length of sentence. The maximum penalty for trespassing is $100 fine and six months at hard labor.

In the City Court conviction they appealed, Mr. King and Mr. Embry were fined $100 each and sentenced to ten days hard labor on the charges of trespassing and refusing to obey a policeman.

Birmingham Seizes 6 in Sitdowns

The Atlanta Constitution
Atlanta, Ga.
Tue. 8-16-60

BIRMINGHAM, Ala. (AP)—Six young Negroes sought service at downtown eating establishment reserved for white persons Monday and were arrested.

Police said a seventh Negro fled when approached. They made the arrests at five downtown stores.

They said three of those taken into custody were juveniles and will be turned over to Juvenile Court. No charges were placed against the other three immediately.

A similar demonstration took place in downtown Birmingham March 21.

Police, alerted for a possible demonstration Monday quickly rounded up the Negroes under a city ordinance making it unlawful to go on the premises of another and remain on the premises after being warned not to stay.

Demonstrator Sentenced In Birmingham

Tallahassee
Dec. 13-60

BIRMINGHAM —(AP)— A young sit-in demonstrator was sentenced to 180 days in jail and fined $100 in City Court here while trial of two others was postponed in a demonstration Aug. 15.

Catherine Burkes was convicted of trespassing after warning. The 20-year-old Negro girl had pleaded innocent.

Attorneys for Miss Burke filed a motion to declare the city ordinance applying to sit-in demonstrations unconstitutional. But City Recorder William Conway said he had no authority to rule on the constitutionality of an ordinance.

Miss Burkes said at her hearing Monday night she had been arrested several times in sit - in demonstrations at Nashville, Tenn.

Tue. 8-23-60

She said the seven young Negroes arrested here last week arranged the demonstration themselves and that no one instructed them.

Trial of Elbert Woodall and James Edward Reese, both 18, was set for Aug. 29. They also were charged with trespassing after warning.

Two employes for a department store (Loveman's) testified that Miss Burkes refused to leave after the lunch counter had been closed.

Connor blames minister—

The Birmingham News
Birmingham, Ala.
Mon. 8-15-60

Police hold six after sit-ins here

Six young Negroes who sought service at downtown department store lunch counters were arrested here on charges of trespassing after warning today.

The Birmingham incidents followed Sunday appearances of Negroes at 10 white Atlanta churches, and appearances of three white white persons at a Montgomery Negro church.

Police Commissioner Eugene Connor blamed the Birmingham sit-in attempts on the Rev. F. L. Shuttlesworth, Negro integration leader here.

HE ASSERTED that Shuttlesworth, "looking for publicity, stooped to a new low today by using young children and girls to do his dirty work."

"The Negroes might as well make up their mind if they sit in Birmingham, they're going to sit in jail. We positively are not going to tolerate that type of racial agitation."

The six Negroes, ranging in age from 15 to 20, went to Kress, Loveman's, Newberry's, Woolsworth's and Pizitz. Juveniles were turned over to juvenile authorities and adults carried to the City Jail. A seventh Negro girl ran and escaped.

Trespassing after warning is a relatively new city ordinance.

MONTGOMERY POLICE were investigating to determine whether three white persons who attended services at the Dexter Avenue Baptist Church there were bringing kneel-in demonstrations to the state capital.

Police Commissioner L. B. Sullivan said they "could conceivably be the forerunner" of such demonstrations as occurred at white churches in the metropolitan Atlanta area on two successive Sundays.

Neither the two white women nor a white soldier reportedly from Ft. Benning, Ga., were arrested at Montgomery. Disturbing church services is a misdemeanor under Alabama and Montgomery law, but there must be a complaining witness or officers must see a violation.

The Rev. Martin Luther King, now in Atlanta, formerly was pastor of the Montgomery church where the incident occurred.

At Atlanta Negroes worshipped at five white churches. They were turned away or asked to take seats in special pews, the balcony or auxiliary room in churches other than where they were admitted.

No disturbances were reported at any of the churches.

The Atlanta kneel-ins were sponsored by the bi-racial Committee on Appeal for Human Rights.

Seven Birmingham Negroes Arrested At Lunch Counters

The Montgomery Advertiser
Montgomery, Ala.
Tue. 8-16-60

BIRMINGHAM (AP) — Seven young Negroes — four of them juveniles — took seats at lunch counters in downtown stores Monday and were arrested.

The incidents took place at the same five stores where 10 Negro college students sought service last March 31. That group was arrested and have appealed convictions on charges of trespassing after warning.

None of those arrested Monday was arrested in the previous incident.

Police Chief Jamie Moore said there was no violence. Officers said those taken into custody ranged from 15 to 20 years old.

Three were taken to the Birmingham city jail, where they were booked on charges of trespassing after warning. The others were turned over to juvenile court authorities for further investigation.

Taken to city jail were Catherine Burks, 20; Edward Reese Jr., 18, and Elbert Woodwall, 18, all of Birmingham.

Juvenile court authorities said three of the juveniles were girls—Two 16 years old and one 15; and the fourth was a 15-year-old boy. All were detained pending investigation and no charges had been filed.

The arrests were made under a city ordinance which makes it unlawful to go on the premises of another and to remain on the premises after being warned not to stay.

The manager of one variety store said three young Negro men took seats at a lunch counter in the store and began eating food they brought with them.

The manager, who asked not to be identified, said police took the three into custody within minutes.

Managers of the other stores involved, two variety stores and two department stores, declined comment.

Meanwhile, the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights and a Negro Baptist minister, said he sent telegrams to managers of the stores called on the store grams to "request police to release the students and drop protesting the action. He said the charges against them."

Montgomery Judge Fines Sit-In Defendants In Ruling Trespass Law Is Valid Weapon

Washington Post D.C. Evening 9-13-60
1.B2

By John W. Anderson
Staff Reporter

Maryland's trespass law is a valid weapon against sit-in demonstrations, a Montgomery County judge held yesterday, as he fined five demonstrators $50 each unde rit.

The five young Negroes were arrested for trespass June 30, when they staged a sit-in on Merry-Go-Round at the Glen Echo amusement park. It marked the opening of an anti-segregation campaign that continued there until the park closed for the season last Sunday.

Judge James H. Pugh of the County's Circuit Court brushed aside the demonstrators' defense that the use of the State's police power to uphold segregation violated the Federal Constitution. He tried the case without a jury.

The issues in the all-day trial, according to the judge, were two: Whether the amusement park's owners had a right to choose their patrons and whether he could enforce that right with prespass arrests.

Maryland law declares "that a man's property is his castle, whether it is quasi-public or entirely private," Judge Pugh said. "This court will follow the policy and principle of the law."

The five defendants were Gwendlyn T. Greene, 18; William L. Griffin, 25; Michael A. Proctor, 19; Marvous Saunders, 22, all college students, and Cecil T. Washington Jr., 23, a clerk.

They were arrested by Francis J. Collins, head of the Park's private police and a special deputy sheriff, acting under orders from the Park's president, Abram Baker, and manager Leonard Woronoff, to maintain the Park's ban on Negroes, the three men testified. Collins said he ordered the demonstrators to leave the merry-go-round and arrested them when they refused.

These fines were suspended pending an appeal. But their attorney, Charles T. Duncan, said later the pressure of cost may require the demonstrators to pick and choose among the verdicts to be appealed.

The trial opened a series of prosecutions of some 18 charges of trespass, 2 of assault and three of disorderly conduct, accumulated during the summer's picketing at the amusement park and the Hiser theater in Bethesda.

The trials will continue today in Rockville, with the prosecution of five trespass defendants arrested July 2 after they rushed through the Park's gates, ran into a restaurant there, and refused to leave.

Defending Montgomery's record in racial relations, Judge Pugh observed the County had complied rapidly and willingly with the Supreme Court's order to desegregate its schools.

If the higher courts should outlaw segregation of public accommodations, he said, the County's businessmen "will accept it."

But he sharply rebuked the demonstrators for their tactics of courting arrest and then testing the law in criminal trials.

In the case before him, he said, "the charge is simple trespass." The segregation issue "should have been brought in an orderly fashion in a civil court," he said, citing the school cases as examples.

Their big crime

The Afro-American

was sitting down

Baltimore, Md.

in Alabama hotel

MONTGOMERY, Ala. — "When laws are evil as these in Montgomery, one has the right—the moral obligation, to disobey them. We must take the situation in our own hands."

Jet. 6-18-60

This was the statement of the Rev. Ralph E. King, a white Boston University student, who was arrested with the Rev. Elroy Embry for staging a sit-down in the Jefferson Hotel dining room.

The Rev. M.R. Embry is one of the nine students expelled from Alabama State College for leading a sit-down demonstration.

Both ministers were fined $100 and costs and summarily sentenced to 10 days' hard labor on being convicted of trespassing and failure to obey an officer.

The Rev. Mr. King was a guest in the hotel where they were arrested. The Rev. Mr. Embry was his guest. Mr. King was in Alabama to stand trial along with seven local colored persons on charges arising out of an integrated luncheon.

* * *

LAST MONTH, 10 white students from Illinois were acquitted by a jury of charges growing out of the same luncheon. They were on a sociological field trip led by Dr. Richard Nesmith of MacMurray College.

Mrs. Nesmith was also acquitted by the jury but her husband was convicted and fined $100.

The seven colored defendants and the Rev. Mr. King appeared before Judge D. Eugene Loe. Each was fined $100 plus $43 costs of court. Fred Gray, attorney, appealed the convictions.

When the trial was over, the two ministers—one white, the other colored — went to the hotel for lunch. The manager called police and they were immediately arrested.

After being jailed overnight, they were tried —again by Judge Loe. The judge accused the Rev. Mr. King (a Mississippi native now living in Boston) of seeking "notoriety."

The men served part of their "hard - labor" sentences before being released on appeal bond at $450. They are represented by Charles Langford of Montgomery.

The other persns convicted earlier were: the Rev. S. S. Seay Sr., the Rev. R. E. DuBose, Miss Marzette Watts, James Richburg, and Misses Aner Ruth Young and Bessie Cole.

P. 2

Meanwhile, the FBI is investigating the complaint of Dr. Nesmith made to the Civil Rights Commission.

Of the 13 white persons arrested, only two were convicted; of the seven colored persons, all were convicted.

* * *

IN MEMPHIS, Tenn., the Shelby County Grand Jury indicted five students from LeMoyne College on charges of conspiracy to obstruct commerce and disobeying an officer.

The charges arose from a sitdown the students staged at a downtown lunch counter on May 17. This is the second trial for the five. They were previously tried in city court and fined $102 each for the same incident.

If convicted of the county charges, they could be fined up to $1,000 each and sentenced to jail up to 11 months.

* * *

IN BATON ROUGE, La., Judge Fred LeBlan convicted 16 college students of disturbing the peace during sitdowns at three local lunch counters. He said he will sentence them July 5.

Attorneys filed notice of appeal. The students are free on $1,500 bond.

IN ROCK HILL, S.C., the Rev. C. A. Ivory was arrested during a sitdown protest. A invalid, the Rev. Mr. Ivory was arrested during a sitdown protest. An invalid, the Rev. Mr. Ivory is president of the local NAACP branch.

He was pushed by a police captain to headquarters where bond was set at $100. Arrested with him was Arthur Hamm, a student at Friendship Junior College.

* * *

I N WINSTON - SALEM, N.C., Carl W. Matthews, leader of the movement which resulted in desegregation of local eating facilities, was fired from his job.

Mr. Matthews was a freight checker for a local trucking company. He said that his leadership in the sitdown movement was the reason for his discharge.

Representatives of the Teamsters Union and the Carolinas trucking companies met to consider his grievance. They split three - three on the issue of the justification of Mr. Matthews' firing.

The matter will be referred to an arbitrator. The union had earlier pledged to back Mr. Matthews if there were any reprisals for his protest leadership.

* * *

THE BARS CONTINUED to fall, however. In Oak Ridge, Tenn., a one - day democracy was practiced on the city's "Independence Day. This celebrates the day that the city became independent from the federal government.

Four of six segregated lunch counters served colored demonstrators. This was in line with an agreement made between the sitdowners, the mayor's committee on racial relations and the store management.

In the words of one, manager however, "I'm doing this just for the Mayor and his committee." He said the segregation would continue as usual.

The bars fell for good at the Norfolk, Va. Workers at the Post Office across the street entered the main lunch room and were served. They were members of the local branch of the National Alliance of Postal Empoyees.

The manager personally took their orders, served them and invited them to "come back any time."

* * *

IN NASVHILLE, Tenn., the last hold-out gave in and desegregated its eating facilities. Six local stores had preceded Grants for about a mounth before it too bowed to the wishes of the responsible public.

Charles Rivoire, Grant secretary, said: "Based on the experience of the last few weeks, all of the luncheonette facilities in our Nashville store are now integrated.

* * *

APPROVAL OF THE SIT-DOWN movement is still being expressed by individuals and organizations — both public and private.

In Boston, state Atty. Gen. Edward J. McCormack Jr. said that sympathy picketing is perfectly legal in Massachusetts. He said he had received complaints of police interference with sympathy pickets.

* * *

IN NEW ORLEANS, the Rev. Dr. Truman B. Douglass, New York churchman, said that sitdowners are "free from the obligation to conform" to anti - sitdown laws.

In New York, Sen. Kenneth B. Keating (R., N.Y.) said it is imperative that no intimidation be permitted to sitdowners. He received a public service award from the United Young Republican Club. He said: "United activities in behalf of civil liberties are entirely consistent with our American tradition."

* * *

SEN. STUART SYMINGTON (D., Mo.) also expressed sympathy with the movement. Asked if he agree with former President Truman that demonstrators would be kicked out of his store, he answered:

"I believe that every citizen should have the rights of every other citizen. And I believe that this idea of a man going into a store and buying a comb or a brush and toothpaste and saying, "I would like to have a cup of coffee, and not being given it is morally wrong."

Alexander J. Allen, recently named associate director of the National Urban League, said that sitdowners have done more than any other single development in the past 50 years to destroy the myth of the contended Southern colored citizen.

* * *

DR. MARTIN LUTHER KING JR. told a business clinic in Toledo, Ohio that "The (sitdown) demonstrations are not merely protests against the refusal of service in eating establishments. It represents also protests against such things as limited job opportunities for college graduates."

The National Associaion of Negro Business and Professional Women meeting in Columbus, Ohio, endorsed the National Council of Women of the United States' backing of the sitdown movement.

The women commended "all unsung heroe. in this program aimed at securing for themselves and the world a real and lasting democracy."

Florida's Gov. LeRoy Collins expects that lunch counters in his state will soon be desegregated. Not satisfied with this, however, he hopes to create a climate of race relations where progress can be made in all fields.

He said sitdowns have played a major role in stimulating interest among the "people in the middle" and a willingness on their part to look at the situation squarely and seek a constructive solution.

In Little Rock, the Citizens Committee of colored leaders was formed to support students who get in trouble over sitdown demonstrations. L. C. Bates, NAACP field represent tive, said the committee will finance court defenses for the students.



POLICE ESCORT NEGRO YOUTH AWAY FROM DOWNTOWN STORE AFTER SIT-DOWN
. . . Demonstrators were immediately placed in patrol wagons and police cars.

Promptly arrested—

Negroes stage short sit-ins at stores here

Negro students took seats at white dining facilities in five downtown stores today.

Police quickly rounded them up and took them to jail.

The incident caused little commotion, and business went on as usual at the eating places after the Negroes were placed in patrol wagons.

At least nine of the 10 who staged the sit-downs were identified as students at Daniel Payne College.

The Negroes sat in white lunch rooms at Loveman's, Pizitz, Newberry's, Woolworth's and Kress'.

Two Negroes sat down in each of the five stores about 10:30 a.m. The demonstration apparently had been coordinated in advance.

Those arrested were charged with "trespassing after warning."

The city ordinance under which they were arrested provides a maximum penalty of six months in jail and a $100 fine on conviction of going on the premises of another and remaining after being asked to leave. It makes no mention of race.

FOUR NEGROES, described as teen-aged boys, entered the basement eating area at Kress' but only two sat down.

Kress' manager, J. B. Braswell, said the Negroes did not attempt to order. He said lights were turned out in the lunchroom area.

Eight policemen entered and escorted the Negroes outside to patrol wagons.

Two Negroes entered the mezzanine dining room at Loveman's. White patrons left and the dining room was closed until the demonstration was over.

L. L. STALLINGS, Newberry's assistant manager, said two young Negro men came to the store lunch counter and sat down.

None of the waitresses offered to serve them.

Instead, one of the waitresses called Stallings from the second floor to the first-floor counter.

Stallings said he told the two Negroes, "You know you are not allowed to do this. You will have to leave."

He said one of the Negroes looked up at him and said:

"We have our rights."

As the young Negro made this remark, policemen entered the department store and escorted the two Negroes outside the building.

THE NEGROES were refused service when they entered the dining room on the mezzanine at Pizitz. They left quietly when police took them into custody.

Two Negroes were arrested at white eating facilities at Woolworth's. The counter was closed after they sat down.

The downtown area quickly returned to normal. Stores reopened their eating areas and they were soon occupied as usual by white patrons.

PUBLIC SAFETY Commissioner Eugene Connor and all top-ranking police officers went immediately to the downtown area.

Connor was standing nearby when the patrol wagons dove away with the Negro youths. The youths sang hymns inside the wagons.

"That was quick, wasn't it?" Connor remarked.

"That's the way it's going to be from now on. We're not going to put up with this sort of thing

in Birmingham. It looks like I've been police commissioner long enough for the Negroes to have learned I'm not going to put up with this kind of carrying on."

FIVE OF THOSE arrested said they were students at Daniel Payne College here. Names and addresses given police:

Roosevelt Westmoreland, 20, Daniel Payne College.

Roy Hutchinson, 20, Daniel Payne College.

Willie Willis, 20, Daniel Payne College.

James Gober, 19, Marietta, Ga.

James Davis, 18, 208 Ninth-ct, w.

Jessie Walker, 23, 117 Bolin-st, sw.

Robert King, 20, Greensboro, Ala.

Robert Parker, 19, Mulga, Ala.

Robert D. Sanders, 19, Daniel Payne College.

William West, 23, Daniel Payne College.

Connor said the men would be tried in Recorders Court either Monday or Thursday night by Judge William Conway.

Meanwhile, the Rev. F. L. Shuttlesworth, Negro leader of the Alabama Christian Movement for Human Rights, said students will hold a protest rally at his church at 7 tonight.

Shuttlesworth is pastor of Bethel Baptist Church.

10 Birmingham Students Arrested In Demonstrations

BIRMINGHAM, Ala. —(UPI)— The first race counter racial sit-down incidents in Alabama's largest city Thursday brought quick arrests of 10 well-dressed Negro demonstrators by swarms of police.

Police Commissioner Eugene (Bull) O'Connor called out almost the entire Birmingham, Ala., police force, blocked off traffic and went into stores to arrest Negroes who took seats at all-white lunch counters. At least five dime and department stores closed their counters immediately when the Negroes appeared.

Angry Negro students at Baton Rouge, La., withdrew en masse from classes at Southern University in protest against the expelling of 18 fellow students who led anti-segregation demonstrations in the Louisiana capital.

HOLD RALLY

The Baton Rouge students staged a pep rally instead of attending classes, then marched in double lines to the dean's offices to sign withdrawal slips. The school, supported by the state, has a student body of 5,400.

At Marshall, Texas, where authorities turned fire hoses on about 150 Negro demonstrators Wednesday, an officer said the town was a "powder keg." Some 60 state and local officers patrolled the streets to guard against further racial disturbances.

A mayor's human relations committee at High Point, N. C., meanwhile, asked that three variety stores integrate their lunch counters on a 60-day trial basis. But the proposal was received cooly and without immediate response.

WILL FOLLOW CUSTOM

Officials of the firms declined comment. Two of the stores are F. W. Woolworth Co. five and dime stores, and the managers referred all questions to the district offices in Atlanta. In Atlanta, Woolworth officials said only that the stores would follow "local custom."

In Birmingham, the Negro lunch counter demonstrators quietly submitted to arrest and were searched before being taken to the police station. There they were held for about an hour, were fingerprinted and photographed and released under $300 bonds each.

Trials were set for next Thursday on charges of trespassing after warning.

A white sociology professor and 16 students from Illinois along with seven Negroes, 19 persons in all, were arrested when they entered a Negro restaurant in Montgomery, Ala., and ordered food.

Montgomery Police Commissioner L. B. Sullivan order the 19 including the professor's wife jailed on charges of disorderly conduct and calculating to create a breach of peace. Police were summoned to the restaurant, the Regal Cafe, after the mixed group refused to leave.

The students and Prof. R. D. Nesmith were visiting from Mac Murray College at Jacksonville, Ill. Nesmith's group included his wife and two-year-old daughter.

Leaves under orders—

Negroes seek service at capitol lunchroom

BY AL STANTON
News staff writer

MONTGOMERY, Ala., May 17—Two well-dressed Negro men sought service in the capitol building lunchroom today but left when ordered to do so.

Highway Patrolman S. S. Parham escorted the Negro from the lunchroom.

Parham said he did not get their names, but they told him they were "expelled students."

Several have been expelled from Alabama State College for Negroes here for leading anti-segregation demonstrations.

Mrs. Willie Mae Jones, operator of the lunchroom, said the Negroes came in and took seats. When no one came to take their order, they got in the serving line, she said.

THE LUNCHROOM is operated cafeteria style. Mrs. Jones said she asked the Negroes if they had identification cards showing they were members of the State Employes Assn.

She said they asked her if everybody else in the lunchroom had cards.

Mrs. Jones said she told them they could not be served if they were not members of the employes' association.

The lunchroom is operated by state employes and service is restricted to members of the employe group. The capitol lunchroom remained open after the Negroes left.

38a 1960

3 CITY LAWS (MONTGOMERY

ALABAMA

LUNCH COUNTER - SIT DOWNS

3 City Laws Place Curb On Protests

Ordinances Outlaw Any Demonstrations In Public Places

By DICK HINES

Three amendments to the City Code, designed to enable police to cope with any future anti-segregation demonstrations, were passed in rapid succession by the City Commission Tuesday.

One of the amendments to the City Code outlaws demonstrations on streets and public places without permission of the city, another protects the buildings and premises of businesses from unwanted persons and the third redefines disorderly conduct.

Police Commissioner L. B. Sullivan, who introduced the measures, explained that the amended ordinances will "put police in a better position to handle these situations (racial demonstrations) when they arise."

All go into effect immediately.

PERMIT NEEDED

The anti-demonstration amendment makes it unlawful "to promote, organize or hold, or to assist in organizing or holding, or to take part or participate in, any parade or procession or other public demonstration on the streets or other public ways of the city, unless a permit therefor has been secured from the Board of Commissioners."

Permission for parades and processions were required under the old ordinance, but public demonstrations were not specifically mentioned.

In granting the permit, the amended ordinance states, the commission may prescribe the streets or other public ways to be used. The commission may deny a permit, it is stated, if in its judgment the "public welfare, peace, safety, health, decency, good order, morals or convenience require that it be refused."

HARD LABOR

Persons convicted of violating the ordinance shall, upon conviction, be fined not more than 100 dollars, or sentenced to hard labor for not more than six months, or both.

The anti-"sit-in" measure amends Section 47, Chapter 20, of the City Code. It proclaims that it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another after having been forbidden to do so, either orally or in writing, or by sign.

It also states it is unlawful for any person "to solicit, urge, exhort, instigate or procure another or others to do anything prohibited" by the ordinance.

Section 18, Chapter 20 of the code, which deals with disorderly conduct, was amended to make it conform to the state disorderly conduct statute.

It states that it is unlawful for any person in the city "to disturb the peace of others by violence, profane, indecent, offensive or boisterous conduct or language, or by conduct calculated to provoke a breach of the peace."

38a 1960

ALABAMA

COURTHOUSE GRILL LIMITED TO EMPLOYES AND THEIR INVITED GUESTS

NEW RULING- (SEE-LUNCH COUNTER-SIT DOWN*

Courthouse Grill Limited To Employes

County officials, faced with an integration demand, put the courthouse snack bar off limits Monday to everyone but county employes and their invited guests.

The all-white lunchroom has been closed since last Thursday when a group of Negro college students took seats and asked for service.

It is scheduled to reopen Wednesday under a new lease agreement with a woman who operates it as a private business. The courthouse will be closed Tuesday because of Mardi Gras Day, a state holiday.

County employes eating in the downstairs grill after it reopens will be required to show newly issued identification cards under a resolution adopted by the Board of Revenue, the county governing body.

The few Negro employes who work in the building will have access to the lunchroom, but they will be required to give their orders at the counter to take the food outside.

Board of Revenue members acted after a delegation of county employes protested against what they called overcrowded conditions in the grill which seats some 60 persons.

Restricted patronage was requested, too, by the Montgomery City Fire Prevention Bureau and the County Health Department. They said overcrowding constituted a fire hazard and a menace to health.

No mention of racial tension in Montgomery was made by the county employes or the two governmental agencies, or by the Board of Revenue in its resolution ordering the new regulations.

But the board's action was an obvious answer to the three-day demonstration by Negro students at Alabama State College in Montgomery.

The racial protest erupted into violence Saturday when a Negro woman was clubbed on the head by one of a group of white men who patrolled a downtown street carrying small baseball bats.

In closing the courthouse lunchroom to all but employes and guests, the Board of Revenue rewrote the lease with the operator, Mrs. Mary Belle Pugh. She signed it shortly afterward.

The board's resolution listed seven reasons for its action, mainly concerned with public safety and health.

But it added this observation: "To promote a public restaurant or to allow such to operate in a public building competing with private industry would smack of socialism and be inconsistent with our American way of life."

The action taken by the county employes apparently was patterned after the State Employes Social Club, an organization of state workers which operates the cafeterias in the state buildings.

The state workers operate the lunch rooms exclusively for themselves on a non-profit basis and last Friday in the wake of the courthouse sid-down incident state guards were placed at the entrances to the state cafeterias. the guards instructed to admit only state workers and their guests.

Special identification cards were also distributed to state workers for use in gaining admission to the lunchrooms but as yet the cards have not beeu required for admission.

In California

Journal & Guide

Ousted Sit-In Participants Are Rejected

Norfolk, Va.

Sat. 10-1-60

L'd

SAN JOSE, Calif. (UPI) — California state colleges have a policy to refuse admittance to students expelled from Southern schools because of sit - in demonstrations, according to President John T. Wahlquist of San Jose State college.

His statement was made Thursday as Atty. Gen Stanley Mosk called for an investigation in the case of St. John Dixon, 22, a colored student expelled from Alabama State college, Montgomery.

MOSK ASKED Supt. of Public Instruction Roy Simpson to investigate a complaint received by the attorney general from faculty members at San Jose State.

The teachers said they aided Dixon financially to come here so he could continue his ecucation. Dixon, a junior accounting student from Mobile, Ala., was turned down by the school.

WAHLQUIST SAID Dixon's race was not a factor in the decision.

He said it was the standard policy of colleges throughout the nation not to accept transfer students who do not have an honorable discharge from their schools.

This would affect sit - in demonstrators who were given dishonorable discharges, he added.

To Enter College—

Birmingham Post-Herald

Patterson Asked To Aid Sit-Iner

Birmingham, Ala.

SACRAMENTO, Cal., Sept. 26 (UPI)—California Gov. Edmund G. Brown has asked Gov. John Patterson of Alabama for help in getting an expelled Alabama sit-in student into San Jose State College.

Tues. 9-27-60

Before Brown left on a two-day graphed Patterson for a transcript on the grades of St. John Dixon, 22, who was expelled by Alabama State College.

William Byron Rumford, a Negro California state assemblyman from Berkeley, who is helping Dixon, said Alabama had refused to give Dixon transcripts for his work so he could apply for entry into San Jose State.

Rumford said Brown also was expected to review an informal policy of California State College presidents to refuse admission to students who had been expelled elsewhere.

San Jose State President John T. Wahlquist admitted this policy last week as State Atty. Gen. Stanley Mosk called for an investigation into the case of Dixon.

Wahlquist said Dixon, a junior accounting student from Mobile, had been refused entry by the school because of policy.

San Jose State has Negroes in the student body and on the faculty.

COAST COLLEGE SIFTS SIT-IN LEADER'S CASE

The N.Y. Times

Special to The New York Times.

SAN JOSE, Calif., Sept. 25—St. John Dixon, who was expelled from a Negro college in Alabama for taking part in a sit-in demonstration, appeared stymied today in his efforts to enroll at San Jose State College.

Attorney General Stanley Mosk of California said he wanted to know whether the 22-year-old student's protest against segregation figured in his difficulties in entering San Jose State, which began classes last Monday.

Wash. Post 9-26-60

John G. Wahlquist, president of San Jose State, said Mr. Dixon had to get an "honorable dismissal" from Alabama State College at Montgomery before he could be considered for enrollment here.

"By gentleman's 'agreement, we do not take students who do not have honorable dismissals from their former schools," Mr. Wahlquist stated.

This policy was countermended by Roy E. Simpson, State Superintendent of Public Instruction, when Mr. Mosk brought the matter to his attention.

Several other obstacles confront Mr. Dixon. Alabama State, which ousted him last march, has not sent a transcript of his grades and courses to San Jose. Furthermore, Mr. Dixon failed to submit his application to San Jose before the admissions deadline, Aug. 12.

LUNCH COUNTER- SIT DOWN
PRESIDENT EISENHOWER ASKED FOR PROTECTION



GUNS ON THE CAMPUS IN ALABAMA RACIAL TENSION — State investigators with carbines on their shoulders stand guard against any outbreak of anti-segregation violence on the campus of Alabama State College for Negroes at Montgomery, Ala. A group of Negro students had tried to march to a nearby church in protest against segregation but officers broke up the parade and arrested 30 Negro students on disorderly conduct charges. (AP Wirephoto).

PRESIDENT NOTIFIED

Reign Of Terror Says Racist King

ATLANTA (AP) — A Negro leader has asked President Eisenhower to end what he calls a reign of terror in Montgomery, Ala.

The Rev. Martin Luther King Jr., president of the southern Christian Leadership Conference, said in a telegram to Eisenhower Wednesday that "gestapo-like methods are being used by police and city authorities to intimidate Negroes" in Alabama's capital city.

Montgomery police Commissioner L. B. Sullivan dismissed King's accusations a "the ranting of a rabble-rousing agitator." King, who led a successful boycott to integrate Montgomery's city buses before moving to Atlanta, appealed to Eisenhower to intervene by instructing the attorney general "to take immediate action in your name" to restore law and order.

Montgomery police Tuesday arrested 37 students at Alabama State College, a Negro institution, after hundreds demonstrated against expulsion of nine of their number for spearheading anti-segregation marches and sitdown campaigns.

A Negro airman shot at a white policeman Wednesday and a news photographer was roughed up by a group of white men near the site of a promised large scale demonstration which was postponed.

King accused city officials and police of:

Launching "an incredible assault" on students of Alabama State.

Inhibiting the holding of meetings and religious services.

Tapping telephones and disconnecting telephone lines of Negro leaders.

"We feel this terror which grips a whole community in an American city violating elementary constitutional rights requires immediate federal emergency action," King said.

Sullivan said, "We have made every effort to maintain law and order here in Montgomery and to protect the rights and property of all our citizens in what we feel is a tense situation. We would welcome any type of unbiased, unprejudiced investigation of the way in which the matter has been handled. . ."

Court Cuts Sentences In Sit-In Case Here

Birmingham Post Herald

Birmingham, Ala.

BY JAYE ALDRIDGE

Circuit Judge George Lewis Bailes yesterday cut jail sentences of 10 Negro college students involved in a series of sit-ins here from 180 days to 30 days each, declaring he thought the boys had been "misused and misled in the violation of a city ordinance."

But he let stand the 180-day hard labor jail sentence, which had been given the Rev. F. L. Shuttlesworth, Negro minister, at whose home the youths allegedly met to make plans the night before the lunch counter sit-ins.

He reimposed the fine of $100 each that had been given Shuttlesworth and the 10 students in an earlier trial in Birmingham Recorder's Court.

Case Dropped

Another case against Shuttlesworth, a charge of giving false information, was dropped at the request of city attorneys when a material witness could not be located. No evidence was taken in this case.

Both jail sentence and fine of another Negro man, the Rev. Charles Billups, also were reduced by Judge Bailes.

Billups' jail term was cut from 180 to 30 days and his fine from $100 to $25.

The five Negro attorneys who represented the defendants filed an immediate oral request for a new trial and asked Judge Bailes to let them file their written grounds later. They also indicated they wanted to file an appeal immediately.

All Appeal Ruling

It was at this point that Judge Bailes made his comment about it appearing to the court that the boys had been "misused and misled," but he added: "If they would be in a stronger position before a court of appeals, to have this motion for a new trial filed in this manner and ruled on now, the court wants them to have that."

He then overruled the motion, took notice of the appeal, and set bond in each case at $300.

The boys, all students at Daniel Payne College, are James Albert Davis, James Gober, Roy Hutchinson, Robert J. King, Robert L. Parker Jr., Robert D. Sanders, Jesse Walker, William West, Roosevelt Westmoreland and Willie J. Willis.

Negroes Claim Rights Denial In Sit-In Fines

The Montgomery Advertiser

Montgomery, Ala.

BIRMINGHAM (AP)—Attorneys argued in circuit court Monday that constitutional rights were denied 10 Negro youths convicted and fined in Recorder's Court following sit-in demonstrations last month. Tues. 10-11-60

Their cases were appealed and are now being heard by Circuit Court Judge George Lewis Bailes. P. 15

Detective Charles L. Pierce testified Monday that some of the youths had told him of a meeting at the home of the Rev. F. L. Shuttlesworth the day before the demonstrations.

Shuttlesworth was convicted of giving false information in connection with the incident and also has appealed.

Employes at various eating places testified they told the Negro youths to leave, and that the eating places had been closed. The youths were convicted of treaspassing.

The hearing will be resumed Tuesday morning.

10 Negro Students Found Guilty In Sit-In Case

The Montgomery Advertiser

Montgomery, Ala.

BIRMINGHAM, (AP) — Ten Negro College students Tuesday were convicted on appeal for their part in last spring's sit-in demonstrations at five downtown eating places. Wed 10-12-60

All filed notice of appeal and were released on $300 bond each.

The trials in circuit court were on appeals from recorders court victions last April. P 3D

All ten were convicted for trespassing after warning. Circuit Court Judge George Lewis Bailes fined each $100 and sentenced them to 30 days in jail.

AIDING, ABETTING

In addition two Negro ministers were convicted of aiding and abetting in connection with the demonstrations last March 31. They are the Rev. F. L. Shuttlesworth, a local integration leader, and the Rev. Charles Billups. Billups was fined $25 and sentenced to 30 days in jail. Shuttlesworth was fined $100 and given 180 days in jail. Both posted $300 appeal bonds.

Bailes dismissed a recorder's court conviction against Shuttlesworth on a chage of giving false information to police. The charge was not related to the sit-in demonstration.

STUDENTS CONVICTED

The students who were convicted are: James ALbert Davis, 18, Birmingham, Ala.; James Gober, 19, Marietta, Ga.; Roy Hutchinson, 20, Brundidge, Ala.; Robert J. King, 20, Greensboro, Ala.; Robert L. Parker Jr., 19, Mulga, Ala.; Robert D. Sanders, 19, Powhattan, Ala.; Jessie Walker, 23, Birmingham; William West, 23, Mount Hope, Ala.; Roosevelt Westmoreland, 20, Adamsville, Ala.; and Willie J. Willis, 20, Adamsville, Ala.

At Shuttlesworth's home—

City to attempt to prove meeting preceded sit-ins

The Birmingham News P. 8

Birmingham Ala. Sun. 10-11-60

BY LOU ISAACSON
News staff writer

City attorneys today were expected to present more testimony to support their claim that a meeting at the home of the Rev. F. L. Shuttlesworth preceded sit-in demonstrations here in March.

The appeal cases of 10 Negroes convicted earlier in City Court of participating in sit-in demonstrations are being tried before Judge George Lewis Bailes.

Testimony began yesterday with the defendants being tried in pairs.

The Negroes were arrested, jailed and later fined in City Recorder's Court on Charges of trespassing after a warning.

Defense attorneys appealed that verdict to Circuit Court. Convictions against Shuttlesworth on two charges of "aid and abetting" and "false information" in connection with the sit-ins and a conviction against the Rev. Charles Billups for aid and abetting, have been appealed.

A CITY DETECTIVE yesterday testified he questioned two of the Negroes, James Gober and James Albert Davis, the day following the sit-ins and both told him they had been instructed to go to Pizitz department store and sit at the lunch counter.

Det. Charles Pierce testified Gober and Davis admitted they had met at the home of Shuttlesworth the day preceding the downtown demonstrations.

Gober and Davis testified yesterday during the non-jury trials, that they had gone to the Negro minister's home but denied it "was for a meeting."

City Prosecutor Watts Davis read a list of names including Davis and Gober, along with Roy Hutchison, Robert King, Robert L. Parker Jr., Robert D. Sanders, Jessie Walker, William West, Roosevelt Westmorland, Willie J. Willis, Shuttlesworth and Billups, all of whom he said attended the meeting preceding the sit-ins.

Testimony by West that he was not at the meeting brought a quick perjury threat from Watts Davis and a charge of intimidation of a witness from the defense.

Judge Bailes quickly replied that: "The court thinks this lad (West) has been intimidated elsewhere. He has been made a tool elsewhere and made a dupe elsewhere under the evidence here today."

West then changed his testimony and admitted that he had attended a meeting at Shuttlesworth's home on the night preceding the demonstrations of March 31.

ANOTHER NEGRO sit-in accused Det. Pierce of agreeing to intercede with the judge if the Negroes would tell the truth and plead guilty to the charges they were convicted on in City Court.

Pierce, put back on the stand, denied he had made such a statement to any of the 10 defendants.

Defense Attorneys Arthur Shores, Orzell Billingsley, Peter A. Hall, Oscar Adams Jr. and J. Richmond, all Negroes, questioned each prosecution witness closely concerning whether or not they had personally directed the sit-ins to leave lunch counters and had called the police themselves.

Hall declared that "the meat of the coconut is whether the owner complained or whether it was the City of Birmingham complaining."

The defense attorneys entered formal motions in each case charging that the Negroes were denied their constitutional rights, that they were rightfully on the premises and that United States laws do not forbid people from assembly peaceably.

JUDGE BAILES, however, overruled each defense motion. One of the Negro attorneys took exception to the ruling on the grounds it violates the 14th Amendment.

All of the defendants admitted they had participated in the sit-in demonstrations at Pizitz, Loveman's, Newberry, Woolworth and Kress, but contend that they had a right to be at the lunch counters.

They were arrested, tried and convicted in City Court under General City Ordinance No. 1436, which covers the charge of "trespassing after a warning."

Both defense and prosecution attorneys were expected to begin arguments as the proceeding resumed at 9:30 a.m. today. Shuttlesworth and Billups will be tried after Judge Bailes rules on the sit-in appeals.

32 students fined $5,440 in Alabama

The Afro-American Baltimore, Md. Sat. 5/28/60 p 2

MONTGOMERY, Ala. —Some 32 Alabama State College students last week were fined a total of $5,440 for disorderly conduct and failure to obey police officers in connection with demonstrations in March.

Thirty of the students, by an agreement, pleaded guilty after two other defendants were convicted in separate appeal trials.

The agreement was reached in negotiations between Prosecutor David W. Crosland and Fred Gray, attorney for the defense.

* * *

EXPLAINING the surprise move, the executive secretary of the Montgomery Improvement Association announced that the determining factor in the entering of pleas of guilty was "economic," and not admittance of guilt.

The conviction of David McMillian by Special Judge Sam R. Baker and the verdict of guilty against Pitts E. Jefferson Jr. by an all - white jury, it was added, led students to anticipate the conviction of the entire group.

According to the agreement on behalf of the students, the total cost is now $5,440. Each of the 32 were fined $101, plus court costs of $70 each.

"The cost of perfecting appeals in each case," said the Rev. S. S. Seay, MIA executive secretary, "would be astounding. The estimated cost of appeal for each student is in excess of $800. The total cost, therefore, would be approximately $25,000."

* * *

STUDENTS ENTERING guilty pleas were:

Paul J. Adams, Dred S. Arrington, Claude Barby, Thomas L. Calhoun, Elbert L. Dennis, Rebecca Dixon, Samuel Floyd, Augusta E. Grace, James S. Haskins, Frank E. Haskins, Durlin C. Hayes, Dolphus Hendrix.

Prof Fined In Integrating Alabama Cafe

New York World Telegram

United Press International.

MONTGOMERY, Ala., May 11. — Circuit Judge Eugene Carter fined Illinois sociology professor Richard Nesmith $100 with costs today for leading a group of white college students to a luncheon with Negroes.

Wed. 5-11-60

Defense Attorney Clifford Durr immediately filed a motion for a new trial but Judge Carter dismissed it. Mr. Durr then appealed the conviction of Dr.Nesmith to the State Court of Appeals. Bond was set at $1300.

An all-white jury convicted Dr. Nesmith yesterday and recommended the maximum $100 fine. Judge Carter imposed sentence today, adding $73 in costs.

The students at Macmurray College in Jacksonville, Ill., were freed of the charges of eating with seven Negroes and a young white minister from Boston in a Negro cafe.

The professor spent the night in county jail because the judge adjourned court immediately after the verdict yesterday. A defendant cannot post an appeal bond until he has been sentenced.

4 STUDENTS IN NORTH DENY SOUTHERN BIAS

Chicago Daily Tribune Chicago Ill.

Wanted Information, They Tell Court

Wed. 5-11-60 p 8

Montgomery, Ala., May 10 (UPI)—Four students from MacMurray college in Jacksonville, Ill., denied Tuesday prosecution charges that they made a tour of the south to promote integration.

The students, convicted in Recorder's court of disorderly conduct for participating in an integrated luncheon, also denied city accusations that they were instructed to take the integrationists' viewpoint on the southern racial problem.

Students Take Stand

Defense Atty. Clifford Durr sent Jaqueline Devaux of Saint-Germaine-En-Laye, a suburb of Paris; Thomas Ramsbey of South Bend, Ind., Charles Radburn of Pittsfield, Ill., and Bill Hatlsted of Detroit Lakes, Minn., to the stand on the second day of testimony in the appeal of the 10 college students and sociology Prof. Richard Nesmith and his wife, Barbara.

City Prosecutor David Crosland tried to get from the students admissions that their sociological study of the south was limited to discussions with leading integrationists in Arkansas, Mississippi, Louisiana, and Alabama. The students maintained that their iltinerary included visits with both segregationists and integrationists.

Crosland charged in concluding his case Monday that the group was guilty of "premeditated calculation" to breach the peace by eating lunch with Negroes at a Negro restaurant.

Students Jailed Overnight

The group, led by Nesmith, was arrested March 31 and received fines ranging from $50 to $500 each. All but Nesmith and his wife spent the night in jail. The Nesmith's 2 year old daughter was placed in custody of the county welfare department for a brief period.

Nesmith has said the tour was to "'familiarize the students with nonviolent resistance as a device for social change." He denied promoting a breakdown of racial barriers on the tour.

Police Chief G. J. Ruppenthal admitted under questioning by Durr that there was "no profanity, no boisterous action, no threatening words, and no violence" in the Negro restaurants.

Negroes Form a Crowd

But Ruppenthal said the presence of the white students and Nesmith in the restaurant caused a crowd of Negroes to form outside and "created an air of tension." Nesmith said the crowd did not form until police arrived.

Seven Negroes who ate with the group also were arrested. They are scheduled to have their appeal heard after that of the MacMurray college group.

The Rev. Ralph Edwin King Jr., 23, and Elroy Embry, 33, Negro, were given the hard labor sentence Wednesday morning after their conviction Tuesday on charges of trespassing. Circuit Judge Eugene Carter fined both men $100.

Attorneys for the two men filed the appeals immediately after they were found guilty but they were not allowed bond until Judge Carter passed the hard labor sentence. They spent the night in the Montgomery County Jail on the fourth floor of the courthouse.

The Rev. Mr. King told United Press International he was "attacked and beaten several times" while spending the night in the county jail.

"Two men hit me, kicked me, knocked me down and stepped on me and slapped me around," the Rev. Mr. King said. "The guards knew about it but did nothing."

He said he suffered a broken tooth, a swollen jaw and "several aches" from the beating. "They also forced me to eat a picture which appeared in the paper—a picture of me, Rev. Embry and Miss Aneruth Young (one of a group of Negroes convicted of disturbing the peace at an integrated luncheon."

He said he had filed a formal complaint with the FBI.

However, Chief County Warden W. J. Williams said, "I have no knowledge of his being beaten. That's the first I've heard of it. He made no complaint about it when he went out this morning."

Pastor Out On Bond, With Negro Friend

Pittsburgh Courier After

King, Embry Appeal Sentence In Montgomery Case

Memphis Tenn. 7/16/60 p 2

MONTGOMERY, Ala., July 13. — (UPI) — A young white minister and his Negro companion went free on bond Wednesday pending appeal of their three-months hard labor sentences for trying to integrate an all-white hotel dining room.

SECOND CONVICTION

Montgomery Advertiser

Cleric, Negro Fined

Montgomery, Ala.

A part-time white minister and an expelled Negro college student who attempted to dine together at the Jefferson Davis Hotel on June 7 were found guilty of trespassing Tuesday by Circuit Judge Eugene Carter.

Carter set fines of $100 for the Rev. Edwin King and Elroy Embry and sent them off to jail while he determines the remainder of their sentences, which will be pronounced Wednesday.

They had received $100 fines and sentences of 10 days at hard labor in Recorder's Court, and appealed the case to the Circuit Court. Carter could give them sentences ranging up to six months.

The case was heard without a jury, after charges of failing to obey an officer had been dropped. The two men were also convicted on this charge in the city court.

Defense attorneys say they plan to appeal the conviction. The two men would normally be released on the posting of appeal bonds following their sentencing.

Defense attorney Fred Gray argued that in the arrest of King and Embry, the city was seeking to enforce segregation. He said this "amounts to state action . . . seeking to enforce racial discrimination."

The charge was brought "solely because of the race and color of the defendant Embry," Gray maintained.

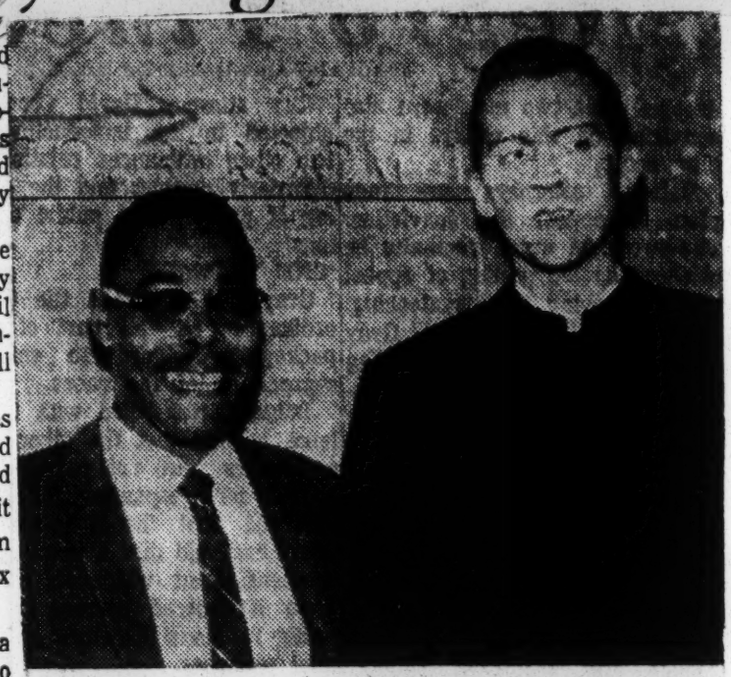
Gray sought repeatedly to introduce city ordinance amendments including the trespassing law under which the two men were tried.

City attorney David Crosland objected to the introduction of two other ordinances relating to disorderly conduct and the staging of parades and public meetings.

'ONE PACKAGE'

Gray had described the three ordinances as "all part of one package" designed to enforce segregation of the races.

Judge Carter ruled with Crosland, holding that the other two ordinances were not relevant in a trial for trespassing. He also observed that the Supreme Court has held that a hotel management acted within its rights when it ordered persons distributing religious literature off the hotel premises.



DEFENDANTS POSE OUTSIDE COURTROOM
Elroy Embry (Left), R. Edwin King

Hotel manager Charles Dionne said that he told King and Embry to leave after a waitress had informed him that "We're having problems in the coffee shop."

CLOSED DOORS

Dionne said he closed the doors, but allowed persons who had already been served to finish eating.

After telling King and Embry to leave a second time, Dionne said King told him: "We do this in Boston, New York, and Chicago."

"I said 'It's not done here—period,'" Dionne said he replied.

Carter sustained Crosland's objections to Gray's questioning as to whether the hotel had ever served Negroes. Carter said the court's position was that:

"A hotel can ask anyone to leave, white or black, if they are not wanted."

'NOT POLICY'

Waitress Mary Lou Sanders said King, who was registered at the hotel, had told her that he was a guest of the hotel and that Embry was his guest. She said she heard Dionne tell them to leave.

In response to a question by Gray, she said it was not a policy of the hotel to serve Negroes.

The conviction was the second for King and Embry in the same courtroom. They had earlier been convicted for taking part in an integrated dining incident at a local Negro cafe.

It was shortly after this previous conviction that the two were arrested after seeking service at the hotel coffee shop.

King is a theology student from Boston. Embry was expelled from Alabama State College after taking part in a "sit-in" attempt by Negro college students to be served at the courthouse snack bar.

3ga 1960 ALABAMA

LUNCH COUNTER- SIT DOWN
ATTY. GEN. MacDONALD GALLION
MONTGOMERY, ALA.
TUSKEGEE INSTITUTE

'CONTROL PASSIONS' IS GALLION'S WARNING

Birmingham Post-Herald Birmingham News

Plea Is Issued To All People Of Good Sense

Mon. 2-29-60

MONTGOMERY, Feb. 28 (UPI)—Alabama Atty. Gen. MacDonald Gallion urged both whites and Negroes "to control their passions" in the wake of demonstrations which touched off racial incidents here and in Tuskegee.

A Negro woman was clubbed with a baseball bat here and a white man and a Negro youth scuffled briefly at Tuskegee, site of Tuskegee Institute for Negroes, during a downtown parade of Negro students.

Gallion said that any mass demonstrations "amount to a powder keg." He asked "people of common sense, both white and colored, to control their passion (so) that we'll have no violence."

Meanwhile, President H. C. Trenholm of Alabama State College said he would report to Gov. John Paterson tomorrow on the attempt by 35 students of the Negro institution to obtain service at the Montgomery County Courthouse cafe.

Trenholm said only "four or five" of those involved were "campus students" with the rest being day students.

Board Meeting Called

Patterson has called for a meeting of the state Board of Education Wednesday, presumably to deal with Negro students taking part in anti-segregation demonstrations.

The governor told Trenholm that if students who took part in the "sitdown" at the cafe and in a march of 300 students yesterday from the Montgomery Negro college to the (Negro) First Baptist Church were not dismissed, disciplinary action might be forthcoming.

The heightened racial tension here boiled over when a white man struck a Negro woman with a miniature baseball bat after they bumped into each other on the sidewalk.

The man apparently was one of a number of white men who patrolled the downtown area with the baseball bats concealed in paper sacks yesterday. No arrests were made.

Pair Under Bond

At Tuskegee, Clyde L. Hollie, a student at Tuskege Institute, and Thomas C. Storey, 30, were released on $500 bond each after a scuffle. They were charged with disorderly conduct.

The scuffle was the only incident in the parade of an estimated 300 Negroes from Tuskegee to the downtown section, two abreast, where they marched around the city square.

There were rumors of a march by students on the Capitol building tomorrow, but five young Negroes who said they were State College students, but refused to reveal their names, denied it in a statement.

Police Commissioner L. B. Sullivan also said that a claim by a Negro that he was beaten by police officers and white men apparently was a hoax. Sullivan said an exmintion of the Negro showed no indiction of anv beating.

Grant Hails Montgomery Lawmen

Law Officers

WASHINGTON (AP) — Rep. George Grant (D-Ala) Monday denounced civil rights legislation pending on the House as an attack on the South which would in the long run hurt those it seeks to help.

Grant referred to recent racial disturbances in Montgomery which is in his district. He then praised the Montgomery County sheriff and the Montgomery city safety commissioner for the way they put down the Negro demonstrations.

Declaring that advocates of the civil rights bill were pushing the bill as a "political train to ride" Grant added in a House speech:

"Let me warn you that this catch-all piece of punitive legislation aimed at the South will, in the end, react more strongly against those it is alleged to benefit."

'NEGRO NEEDS HELP'

Turning to Northern members of Congress, Grant said:

"Yesterday in the South where there existed trust and good will, today there is suspicion and distrust. Yes, the Negro race in the South needs help. They ask for food, and you attempt to give them social equality. Let us see that the Negro race is not led astray by those who would use them for their own selfish purpose."

Grant criticized New York Sens. Kenneth B. Keating and Jacob K. Javits, both Republicans, and Democratic National Committee Chairman Paul Butler for their pro-integration leadership roles. He suggested they should pay more attention to conditions in the North.

Grant mentioned President Eisenhower's recent news conference comment that the question of civil rights should be worked out at the local level and that interracial committees should be organized. He said good progress was being made by such groups until the Civil Rights Commission and Congress began to stir up the matter and that such committees would not function now.

Grant called upon the proponents of civil rights measures to give more attention to their home areas. He stated that they would not by this or any other legislation control hate and racial prejudice and that this can be worked out only by men of good will.

Montgomery Gets Law Requiring A Protest Permit

By United Press International

Twenty - three Negro students were arrested and jailed during new anti- segregation demonstrations in Memphis, Tenn., Tuesday and six Negroes applied for admission to an all-white branch of the University of Alabama.

Memphis police arrested 10 Negroes, five men and five women when they refused to leave the "white only" section of Cossitt Library in downtown Memphis. Seventeen other Negroes, all students were arrested at Brooks Art Gallery in Overton Park.

Other racial developments in the South Tuesday:

— The Montgomery, Ala.: City Commission adopted an ordinance requiring a permit for demonstrations, parades or processions except funerals, fixing a fine of $100 or six months in jail or both for failure to have such permits. It also adopted an ordinance giving businesses the right to refuse service to anyone they choose and making it unlawful to solicit anyone to violate the ordinance.

— Charlotte, N. C.: Negro students numbering about 75 staged large scale lunch counter demonstrations at downtown stores. The stores closed the counters and some removed seats from the counter stools

Savannah, Ga.: Negroes launched a boycott of Sayannah's largest department store, posting picketa at the entrances, urging Negroes to shop elsewhere. The boycott was partially effective.

—Columbia, S. C.: Six Negroes attending the annual spring rally of the South Carolina American Legion, requested service at an all white hotel cafeteria and were refused.

In Montgomery, Ala., six Negroes identified as students from Alabama State College Negro applied for admission to the Montgomery center of the University of Alabama. The applications were received by center Director W. W. Kempfer and were processed individually as the center, an extension of the University at Tuscaloosa, Ala., began registering students for the spring quarter.

Nine Alabama State students were expelled three weeks ago for participating in an anti-segregation lunch counter sitdown demonstration at the Montgomery County courthouse.

Alabama State's campus has been the scene of several recent racial demonstrations and Alabama Gov. John Patterson has ordered a full investigation of the school to determine whether it should be closed.

3 City Laws Place Curb On Protests

Ordinances Outlaw Any Demonstrations In Public Places

By DICK HINES

Three amendments to the City Code, designed to enable police to cope with any future anti-segregation demonstrations, were passed in rapid succession by the City Commission Tuesday.

One of the amendments to the City Code outlaws demonstrations on streets and public places without permission of the city, another protects the buildings and premises of businesses from unwanted persons and the third redefines disorderly conduct.

Police Commissioner L. B. Sullivan, who introduced the measures, explained that the amended ordinances will "put police in a better position to handle these situations (racial demonstrations) when they arise."

All go into effect immediately.

PERMIT NEEDED

The anti-demonstration amendment makes it unlawful "to promote, organize or hold, or to assist in organizing or holding, or to take part or participate in any parade or procession or other public demonstration on the streets or other public ways of the city, unless a permit therefor has been secured from the Board of Commissioners."

Permission for parades and processions were required under the old ordinance, but public demonstrations were not specifically mentioned.

In granting the permit, the amended ordinance states, the commission may prescribe the streets or other public ways to be used. The commission may deny a permit, it is stated, if in its judgment the "public welfare, peace, safety, health, decency, good order, morals or convenience require that it be refused."

HARD LABOR

Persons convicted of violating the ordinance shall, upon conviction, be fined not more than 100 dollars, or sentenced to hard labor for not more than six months, or both.

The anti-"sit-in" measure amends Section 47, Chapter 20, of the City Code. It proclaims that it shall be unlawful for any person to go upon or remain upon the lands, buildings or premises of another after having been forbidden to do so, either orally or in writing, or by sign.

It also states it is unlawful for any person "to solicit, urge, exhort, instigate or procure another or others to do anything prohibited" by the ordinance.

Section 18, Chapter 20 of the code, which deals with disorderly conduct, was amended to make it conform to the state disorderly conduct statute.

It states that it is unlawful for any person in the city "to disturb the peace of others by violence, profane, indecent, offensive or boisterous conduct or language, or by conduct calculated to provoke a breach of the peace."

38a 1960

ALABAMA

LUNCH COUNTER- SIT DOWN
ALABAMA STATE COLLEGE (BERNARD LEE)

Court Withholds Judgment For Expelled ASC Student

A Negro who led student demonstrations protesting racial segregation was arraigned in Recorder's Court Monday on a charge of vagrancy but final disposition of the case was postponed one week.

Bernard Lee, 24, of Norfolk, Va., who was expelled from Alabama State College for Negroes for his part in a "sit-in" incident at the Montgomery County courthouse, was arraigned before Judge D. Eugene Loe.

Lee, who admitted he had not done a "full day's work" since he was expelled March 4, was arrested Friday.

The dark, well-dressed defendant claimed he had been working part time for his father-in-law, Lumpkin Frazier, who operates a dry-cleaning establishment on Day street.

"I keep books for him and sometimes press clothes," he testified.

Frazier confirmed his son-in-law's statements. He said Lee was not on his payroll but that he compensated him by laundering his clothes and occasionally giving him as much as $5.

Lee lives with Frazier at 608 Kruse St.

Judge Loe set the case over until March 28, but he cautioned Lee that in the meantime he must "make a sincere effort" to get employment if he plans to stay in Montgomery.

He told Lee to keep records on the date, time and place he has applied for work and to bring these records to court with him.

He said his court will deal fairly with all persons, "black, white, Jew and Gentile," but he warned that he will not tolerate any "trifling with the court."

"You have set yourself up as a leader," Judge Loe said, "so I'm expecting more from you."

In answer to questions by City Solicitor Dave Crosland, Lee said he has not received any money for leading the student demonstrations in Montgomery.

"It's easy to do if you are a Negro," he said.

Lee, represented at the hearing by Negro attorney Soloman Seay Jr., said he had tried to get employment with three insurance firms since he left school. He said he had also made applications to enter Tuskegee Institute and two other Negro colleges.

Leader in protests brought into court on vagrancy charge

MONTGOMERY, Ala., March 22 —(AP)—A leader in the recent Negro student demonstrations at Alabama State College was brought into City Court here yesterday on a vagrancy charge.

Bernard Lee of Norfolk, Va., one of the nine students at the Negro college who were expelled because of their part in the anti-segregation protests, was given one week to see if he can find a job.

The judge told him that since he had assumed the role of leadership among the students, the city expects more from him than it would others of his race, and that he would have to find a job if he plans to remain here.

COURT RECORDS show Lee was arrested last Friday by Detective A. L. Herring and Patrolman M. S. Buchli in a Negro section of town.

Lee and eight other students at the state-supported Negro college were expelled on orders of the State Board of Education for their part in the recent demonstrations.

Later he presided over several student mass meetings as president of a student organization.

Expelled ASC Pupil Gets Job

Bernard Lee, 24-year-old Negro who was expelled from Alabama State College for leading anti-segregation demonstrations, has a job.

Negro Atty. Solomon S. Seay Jr. reported to Recorder's Court Judge D. Eugene Loe Monday that the former ASC student has been named "youth director" at the Negro First Baptist Church at a salary of $50 a week.

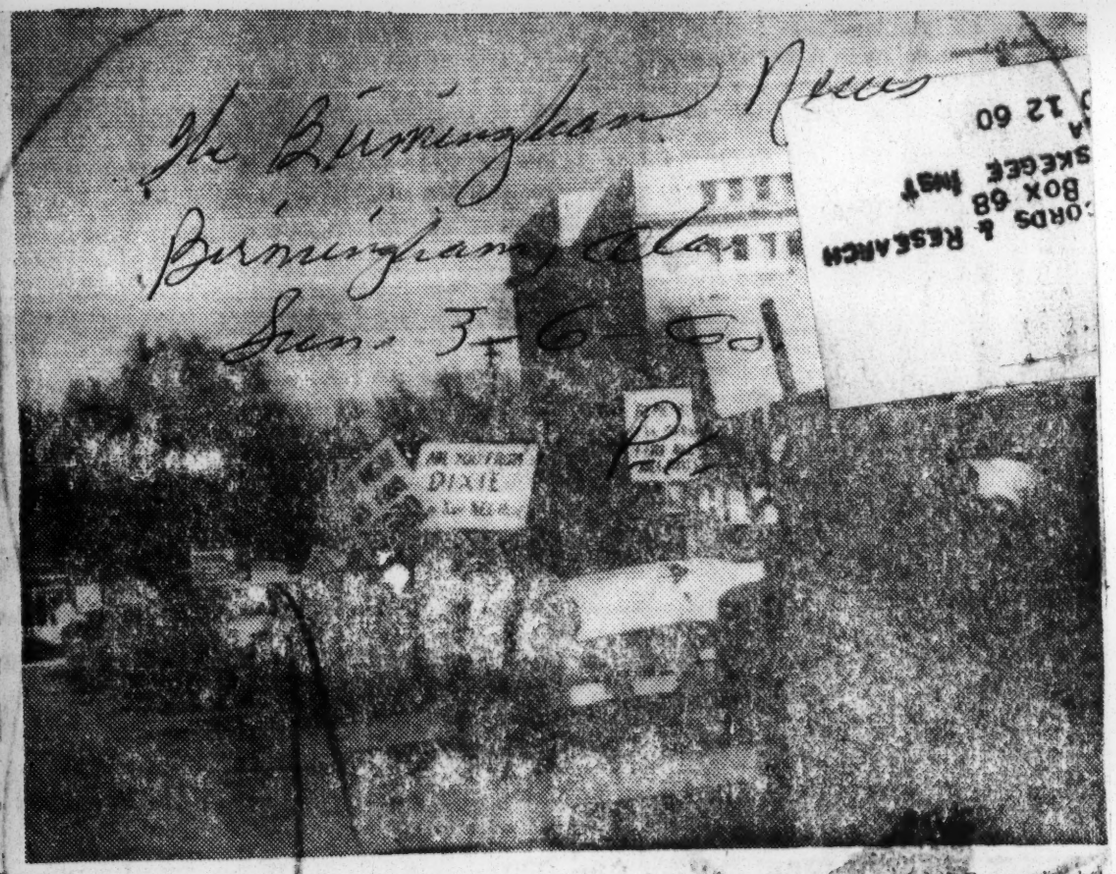
Judge Loe then dismissed charges of vagrancy which had been pending against Lee.

The Rev. Ralph D. Abernathy, president of the pro-integration Montgomery Improvement Assn., is pastor of the church where Lee will work.

Lee was arrested on the vagrancy charges March 18. At a hearing three days later, he admitted he had not had a full-time job since he was expelled from college March 4. The case was continued for a week to give Lee, who came here from Suffolk, Va., an opportunity to seek employment.

38a 1960 ALABAMA

LUNCH COUNTER- SIT DOWN
MONTGOMERY, ALABAMA
MASS PRAYER, SINGING



Associated Press wirephoto

PLACARDS URGE WHITE RESIDENTS TO FIRE NEGRO WORKERS
. . . Thirty cars loaded with white men, women toured Montgomery

On proposed meeting—

Police warn Montgomery Negro leaders

BY TRUDY CARGILE, News staff writer

MONTGOMERY, Ala., March 5—Police will break up any attempt by Negroes to hold a mass meeting at the state Capitol here Sunday, Montgomery Police Commissioner L. B. Sullivan said.

Sullivan issued a prepared statement Saturday which he said spoke also for state and county authorities.

One Negro leader, the Rev. Ralph D. Abernathy, announced Friday night that the congregations of all Negro churches here would assemble at the Capitol at 1:30 p.m. Sunday for a mass prayer meeting.

Urge boycott

SULLIVAN'S statement came in the wake Saturday of a demonstration in downtown Montgomery by some 30 carloads of white men and women who carried placards urging an economic boycott against Negroes because of recent racial disturbances.

Participants gathered shortly after Saturday noon in a state parking lot on the north side of the Capitol.

The procession circled the Capitol and entered the normal flow of traffic on busy Dexter-av. They stopped for lights and were disunited by heavy traffic from intersecting streets.

Placards carried

PLACARDS HELD outside car windows read "Act Now, Fire Your Negro," "Are You From Dixie?" "It's Time To Act Now." "Think Rebels, Remember Our Rebel Forefathers," "Wake Up Rebels, Wake Up," "Remember Little Rock, Act Now," and "Preserve Our Rights, Fire Your Negroes."

Police reported no incidents after the demonstrations here. Indications were that the group dispersed afterward, they said.

Formation of the motorcade was being watched from the Capitol by Gov. John Patterson and members of his staff, who were in their offices at the time. Also on the scene were members of the State Department of Public Safety.

Trade was brisk in Montgomery as members of both races went about their week-end shopping. Police officials said investigators stationed in the downtown area had reported no incidents late Saturday.

Warns Negroes

SULLIVAN'S statement said, "We are not going to have any further demonstration by whites or Negroes in the city of Montgomery that would tend to create further racial tensions, today, tomorrow, next week, or hereafter."

He said "any attempt by any persons, white or Negro, to do so will be dealt with according to law."

The police commissioner said Negroes apparently are intent on inciting further trouble by arranging a mass meeting at the Capitol "under the guise of a religious service."

"No one wants to deprive any human being of the privilege of worshipping God," he said. "However, we feel that the Negroes, like the white people, have their churches for this purpose. Further, if the Negroes want to hold a combined service, they have the campus, athletic field and facilities of Alabama State College for such use."

Continuing, Sullivan warned that "if the Negroes persist in flaunting their arrogance and defiance by congregating at the Capitol tomorrow the police will have no alternative but to take whatever action that might be necessary to disperse them."

He said that is not a threat but rather "a statement of fact and intent on the part of those who have the responsibility of maintaining law and order in Montgomery."

900 Negroes Chant Pledge Of Protest

By BOB INGRAM

A cheering crowd of more than 900 Negro students from Alabama State College shouted their approval Friday night to a resolution calling for a mass strike at the college Monday when the new quarter begins.

There was no mention during the rally of any Saturday demonstrations.

At a hymn-singing, hand-clapping rally in the steamy confines of the Beulah Baptist Church, the students screamed their approval of a resolution offered calling for the demonstration in protest of the dismissal of nine students who participated in a sit-down demonstration at the courthouse.

Later in the evening the students heard a promise of support from the adult Negroes of Montgomery.

The Rev. Ralph D. Abernathy announced that the congregations of all the Negro churches in Montgomery would march to the steps of the Capitol Sunday at 1:30 p.m. for a prayer meeting.

Climaxing the two-hour rally was a brief address by Dr. Martin Luther King Jr., now of Atlanta, the leader of the Montgomery bus boycott.

King told the students they must be willing to "struggle, suffer, sacrifice and even die until the sagging walls of segregation in the South" are destroyed.

'KEEP MOVING'

And in his final admonition King told his enthralled audience:

"If you can't fly, run; if you can't run, walk; if you can't walk, crawl; but by all means keep moving."

The acclaim given King and Abernathy, noisy as it was, was far less than reserved for several student leaders who spoke.

Bernard Lee, leader of the protesting group and one of the nine students expelled, was the first to urge a mass walkout from the college on Monday.

Lee urged the students "not to register. . .let 'em put locks on the doors at the college."

"Let us remember Monday morning that we are not little children to be spanked on the behind and sent back to the classrooms," he declared.

He also urged the students who lived in the city as well as in the dormitores "not to leave for home over the weekend."

"Let 'em send you home," he urged.

"The nine of us who were expelled are not going to leave Montgomery," he continued. "We have other schools to go to, but something more important is to be done in Montgomery.

OTHER SCHOOLS

Lee also reminded the Alabama-born Negro students that "you have other state schools you can go to." At this point the students began changing "Auburn" and "Alabama." In the balcony a Negro student held up a placard reading:

"Can't Go To 'Bama State, We Go To Auburn Or Alabama U."

When the students saw this placard they all but shook the roof down with screams and shouts.

Also introduced by not identified was one student from Tuskegee Institute and three from Talladega College for Negroes, all who pledged their support to the Montgomery campaign.

TALLADEGA PROTEST

One of the Talladega College students said plans were already being made for a demonstration in that city in protest to segregated eating facilities.

The Tuskegee student, who refused to give his name to the press, told the crowd that "Christ died to make men free, men have died to make men free so let us march to make men equal."

Throughout the meeting the students were reminded by several student speakers that there were "three or four carloads of policemen outside the church" and

urged not to panic and to leave peacefully and orderly.

Rev. Abernathy, in announcing the prayer meeting at the Capitol, noted that "we can't work there during the week. . .the only Negroes who work there are prisoners."

PATTERSON BLASTED

Throughout the evening one speaker after another lashed out at Gov. John Patterson for his role in the expulsion of the students. So outspoken were some of speakers that King sought to quell them.

"Nobody here must hate Gov. Patterson," he implored. "We must still believe that he is a child of God and can be transformed from a segregationist into an integrationists."

The only mention of Saturday came in brief remarks by Rufus J. Lewis urging the students to become registered voters.

"There will be a clinic (for instructing prospective voters) tomorrow afternoon," he said. "You all know the time and place."

Alabamans Pray Over Protests

BY UNITED PRESS

More than 2,000 Negroes are expected to converge today on grounds of the white-columned Alabama state capitol at Mongomery, scene of a city-wide bus boycott five years ago, for a huge prayer meeting protesting segregation.

"We cannot work in the capitol of the Confederacy but we can pray here," said the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Assn., which was formed to conduct the bus boycott.

COLUMBIA ATTACK

An attack by youths armed with clubs on a Columbia, S. C., drive-in restaurant brought four new arrests Saturday to add to more than 400 charged in a month-long demonstration in protest of segregated eating facilities in the South.

The fresh incident at Columbia marred a day of relative quiet in the turbulent new assault on the region's segregation pattern. The lunch counter demonstrations are attacks on customs rather than laws.

Students from Allen and Benedict Colleges were involved in lunch counter protest demonstrations during the week. An Allen source said white teen-agers had thrown bricks on the campus and had set fire to a Ku Klux Klan-type cross in front of one of the university buildings. The march on the drive-in was apparently in retaliation.

Sympathy demonstrations have popped up in several regions outside the deep South, Xenia, O., Houston, Tex., and New York City Saturday.

Some 450 persons, both white and Negro picketed the big Woolworth store in crowded midtown Manhattan for an hour and a half at mid-day, demonstrating in support of the lunch counter sitdowns in the South. There were no disturbances and no arrests, police said.

CHURCH SUPPORT

The demonstrators in the South got strong moral support Saturday from an independent church group within the Episcopal Church. The group, called the Episcopal Society for Cultural and Racial Unitey, endorsed "peaceful disobedience" by the demonstrating groups and said the same methods should be extended to organized church activities. Many persons, including at least 33 who are white, had been arrested in the lunch counter demonstrations. The trouble had brought on several economic boycotts, and enormous friction.

Tennessee, with 193 arrests, led the list. South Carolina had 80, Virginia and North Carolina 75 each and Florida 13. No arrests had ben made in Alabama.

Meanwhile, there were more sitdowns at segregated lunch counters in Tampa, Fla., and at Tallahassee Saturday as the movement spread to Orlando for the first time.

There was no violence at any of the three cities.

38a 1960

ALABAMA

BIRMINGHAM, ALABAMA
REV. C. HERBERT OLIVER
(LUNCH COUNTER- SIT DOWN)

FBI investigates arrest of Negro

The FBI office here is investigating the arrest of a Negro minister by city police April 3 in connection with Birmingham's sit down demonstration.

K. N. Rabey, assistant agent in charge, said agents were making a preliminary investigation of the arrest of the Rev. C. Herbert Oliver.

A request for the probe was made by Joseph M. F. Ryan, assistant attorney general in charge of the civil rights division of Department of Justice, Rabey said.

THE REV. OLIVER said he was held without being told on what charges until the second day of his imprisonment.

The Rev. Oliver was held on charges of vagrancy and violation of a city ordinance.

LUNCH COUNTER
GOVERNOR JOHN PATTERSON

Students Blast Trenholm Pact With Ala. Governor

The Call, Kansas City, Mo.

ATLANTA. — (ANP) — An organization representing student sit-in demonstrators throughout the South declared last week that a "pact" made by Alabama governor John Patterson and Dr. H. Council Trenholm president of Alabama State college has no validity.

The Student Non-violent Coordinating Committee sent letters last week to Governor Patterson, President Trenholm and the Alabama state board of education.

The students wrote:

"You had no right to ask President Trenholm to pledge away freedoms and responsibilities not entrusted to him.

"President Trenholm, in turn, had no right to pretend the powers invested in him as President of Alabama State college, included power to bargain away freedoms guaranteed by the First Amendment to the Constitution of the United States.

"The pledge you extracted from President Trenholm does not now stand, it will not stand in the fall; indeed, since all the participants in the agreement were acting outside their jurisdiction, it had no validity from its inception."

The committee, with headquarters in Atlanta, is composed of delegates from the Southern states and the District of Columbia.

Bernard Lee, Alabama delegate to the Coordinating Committee, was the former student body president of Alabama State college, expelled by order of the college president last spring.

Sit In Students Rap Ala. Gov. Patterson

The Louisiana Weekly

New Orleans, La.

The Student Non-violent Coordinating Committee, speaking for all Southern students who refuse to forfeit their freedom of speech, assembly and petition, sent letters today to Governor John Patterson, President Trenholm of Alabama State College and the Alabama State Board of Education. The Coordinating Committee, composed of sit-in leaders from across the South, condemned the specious transaction of July 20th in which Governor Patterson extracted a pledge from President Trenholm promising a halt in student demonstrations when the school term begins.

The students wrote Governor Patterson:

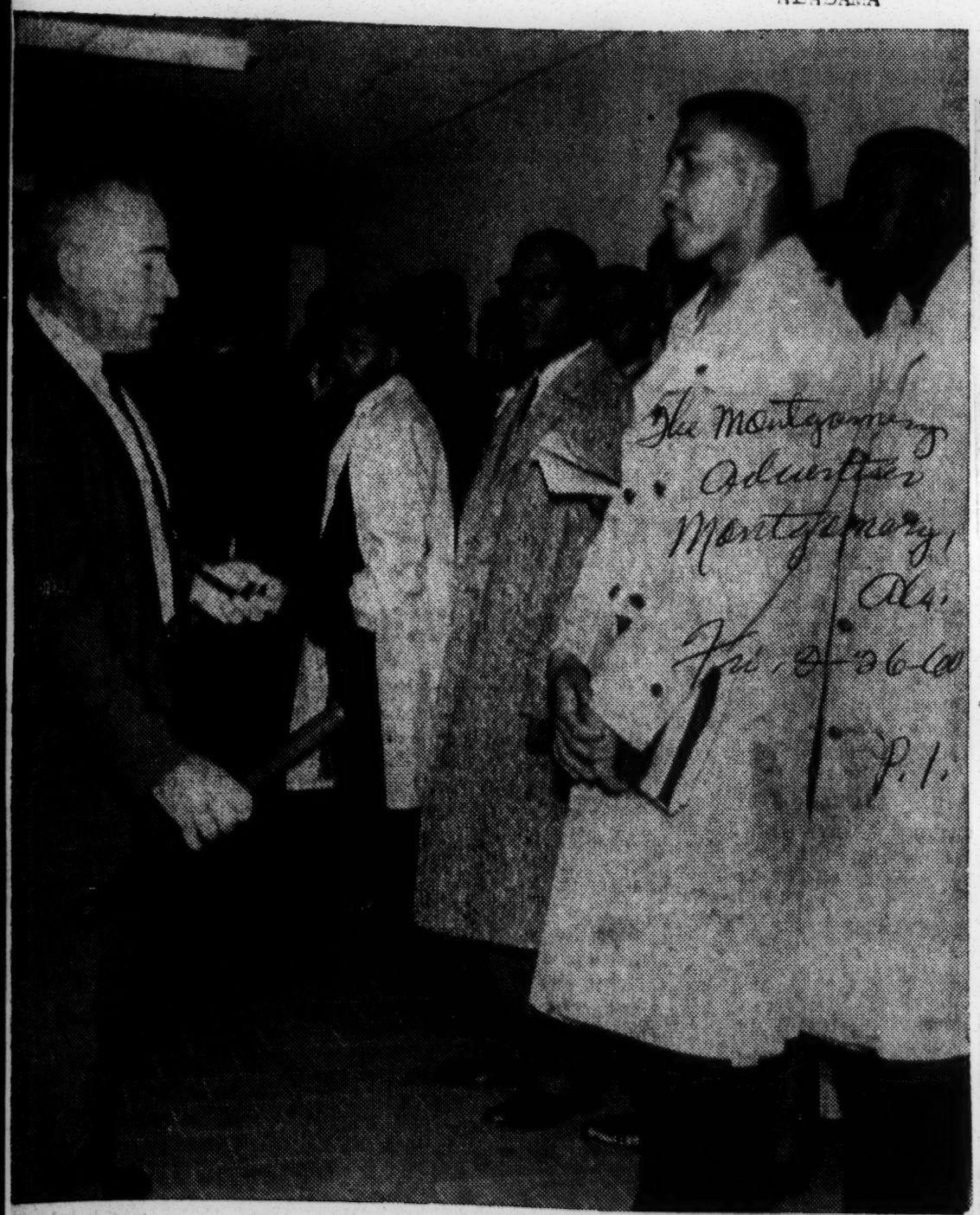
"You had no right to ask President Trenholm to pledge away freedoms and responsibilities not entrusted to him. President Trenholm, in turn, had no right to pretend the powers invested in him as President of Alabama State College, included power to bargain away freedoms guaranteed by the First Amendment to the Constitution of the United States.

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3°a 1960 ALABAMA

ALABAMA COLLEGE, MONTGOMERY, ALABAMA
GOV. JOHN PATTERSON
DR. H. COUNCIL TRENHOLM, PRESIDENT
ALABAMA STATE COLLEGE



Staff Photos By Tom Davis Jr.
SHERIFF MAC SIM BUTLER ORDERS NEGROES INTO SINGLE FILE
Students Remained In Hall Outside Courthouse Snack Bar After It Closed

Expel Negro Sitdowners, College Told

The Montgomery Advertiser P.1
Montgomery, Ala.
Fri. 2-26-60
P.1.

Alabama State President Given Mandate In Governor's Office

By DICK HINES And BOB INGRAM

Under orders from Gov. John Patterson, Negro students of Alabama College who participated in a brief "sitdown" demonstration in the Montgomery County Courthouse snack bar Thursday face immediate expulsion.

The governor threatened to cut off state funds to the college unless immediate action is taken against any students who were among the 35 young men who fruitlessly demanded to be served at the facility. The snack bar is leased to a private operator and caters only to whites.

Dr. H. Council Trenholm, president of Alabama State, told The Advertiser he had "no alternative" but to comply with the governor's order.

The group of Negroes converged on the courthouse shortly before noon and asked for service. The establishment was immediately closed, thus thwarting Alabama's first Negro sitdown incident. Similar disturbances have erupted recently in several other Southern states.

Shortly after the incident at the courthouse Gov. Patterson summoned Dr. Trenholm to his office for a conference.

It was here that he threatened to withould state funds and also demanded a full scale investigation.

OUT OF FUNDS

"The citizens of this state do not intend to spend their tax money to educate law violators and race agitators and if you do not put a stop to it you might well find yourself out of public school funds," Patterson told the Negro college president.

Gov. Patterson earlier had called Dr. Trenholm and demanded that he expel any college students involved in the incident. And he added that if the "action is not taken to expel them by the college then I will call upon the State Board of Education to take such action.

Trenholm said he would comply with the governor's directives.

"I have no alternative," he explained.

Trenholm said Thursday night that an investigation had begun at the college.

He said the process of identifying the students from pictures made by state investigators had started there late in the afternoon.

P. 2-14

Asked if the demonstrators would be punished Trenholm said: "We have to report on the investigation to the governor. There will have to be recognition of his statement. Punishment will presumably follow the investigation. I have nothing further to add at this time."

Names of two of the students were secured from Highway Patrol officers who stopped their cars to check driver's licenses.

They were Theophilus Moody, Box 161, Camden, Ala., who said he rooms at 302 S. Jackson St., and Johnathan Hicks of 1316 Hall St.

The Negroes refused to give reporters their names as they lined up in the corthouse corridor. They said they would return when the grill reopened and probably would be back in "larger numbers."

NO ADVANCE KNOWLEDGE

Trenholm said he did not have any advance knowledge the demonstration would take place but added that he had not "been able to establish" whether other faculty members knew of the sitdown plans.

Asked if he condoned the action, the college president said: "I can't condone breaking the law."

The sitdown hit Montgomery about 36 hours after the Rev. Martin Luther King, leader of the bus boycott here, had predicted in New York that the movement against segregated eating facilities would move into Georgia and Alabama soon.

Rumors had been circulating for several days that demonstrations might take place in the city this week and such officials as State Atty. Gen. MacDonald Gallion and Police Commissioner L. B. Sullivan said Thursday's outbreak was not unexpected.

However, most officials expected the targets to be lunch counters of department stores instead of a public building.

OCCUPIED 9 TABLES

Two city detectives, Jack Shows and C. W. Jones, were in the courthouse grill, located on the first floor, when the Negroes filed in and occupied about nine tables in the small room. The officers had been in court as witnesses earlier in the day.

Shows and Jones said they told the lunchroom operator, Mrs. Mary Pugh, to close it, and asked white patrons to leave. They said they also asked the Negroes to

leave, but they refused.

Maury D. Smith, assistant circuit solicitor, also ordered the grill closed and the lights were cut off. The Negroes then filed into the hallway and one said:

"We're going to stay here until we eat. This is not organized but we're going to stay here until the shop reopens."

Some of the students said all they wanted was a cup of coffee. Asked if they could get coffee at the college, one replied:

"Sure, but we think we're American citizens and we like to shop around."

When the Negroes first emerged into the hall, city police on the scene said they would be arrested. But the police then turned the matter over to Sheriff Mac Sim Butler.

The sheriff addressed the group and said that since the courthouse was public property, they would be allowed to remain in the hallway as long as they stood against the wall and did not block traffic or cause disburbances.

Most of the students were dressed in coats and ties and carried college textbooks which some of them opened and read as they stood against the wall.

Three entered a rest room marked "White Men" across the hall.

A few curious whites came by and looked at the Negroes but no incidents took place which might have sparked violence.

The Negroes left the courthouse about an hour and a half after they arrived. They walked south on Perry street and some got into cars while others continued walking.

Two of the cars were stopped by Chief Joe Smelley and Capt. Billy Bishop of the Highway Patrol. They checked licenses of the drivers and let them go.

Throughout the afternoon, tension spread along Dexter avenue as rumors spread that other sitdown attempts might be made in department stores along that street.

Waitresses and customers at the store lunch counters glanced about frequently as if expecting Negro groups to arrive but no incidents materialized.

City Leaders Issue Words Of Warning

Mayor Earl James and Police Commissioner L. B. Sullivan both issued ringing denunciations of an attempt Thursday by Negroes to be served at the all-white courthouse grill.

Both asked Negroes of Montgomery to discontinue the attempt to push integration efforts here.

James said:

"It is regrettable that this group of Negro students from Alabama State College has seen fit to take part in a demonstration that cannot possibly accomplish any good for their race.

"I wholeheartedly endorse Gov. Patterson's stand that College President Trenholm investigate the incident and expel any of the college students involved.

PUSHED TOO FAR

"We shall make every attempt to maintain law and order in Montgomery but I feel that I must warn the Negro people of this community that the tempers of the white citizenry of our city is being pushed to a point beyond their power to control.

"I urge any responsible Negro leaders to counsel their race to discontinue this harrassment."

James received word of the demonstration while in Anniston to deliver a speech.

Commissioner Sullivan issued this statement:

"We do not intend to permit outside forces to create, provoke or otherwise incite any racial incident here in our city.

"The Montgomery Police Department is under instruction to enforce existing laws and to take whatever action that is necessary to suppress agitation and prevent violence.

"I have been in constant contact with Mayor Earl James, who was out of the city at the time of the incident this morning and I want to assure the citizens of Montgomery that we are prepared to take whatever action that might be necessary to maintain and preserve the time-honored traditions and customs of the South.

"I would like to suggest to the Negroes of Montgomery that they examine very closely the motives of local Negro trouble-makers and outside agitators and determine if their intent is to serve any useful purpose or merely to secure publicity for their own personal gain and financial interest, as has been done in the past.

"It is the sworn duty of our office to protect all persons from injury to their person and property. This we intend to do to the very best of our ability."

Lunch Room Will Remain Shut Today

The courthouse lunch counter, closed Thursday after efforts of Negro college students to be served there, will remain closed Friday, Circuit Solicitor William F. Thetford said.

Whether or not it reopens, and under what circumstances, is expected to be decided by the County Board of Revenue at its weekly meeting Monday.

Speculation is that the grill, operated under lease from the county to Mrs. Mary Belle Pugh, may reopen with the proviso that only employes of the courthouse and their "guests" will be permitted to eat there.

The board of revenue wrote a 30-day cancellation clause into its lease with Mrs. Pugh. Insertion of the clause was prompted by fears that at some time, an effort would be made to integrate the facilities.

In Harris County, Texas, Negroes won a suit calling for integration of a courthouse cafeteria. A federal court held that the courthouse was built with public funds and that the cafeteria could not be segregated, even though it was operated under lease.

Newsmen Blocked From Entering Grill

The bureau manager for United Press International and Advertiser-Journal Staff Photographer Tom Davis were prevented from entering the courthouse snack shop Thursday when 35 Negroes staged their sitdown demonstration.

Deputy Sheriff H. F. Phelps, according to Davis, threatened to transport the photographer to the jail on the fourth floor of the building if he persisted in trying to make a picture of the Negroes sitting at the tables in the lunchroom.

Martin was physically tugged away from the closed door of the snack shop by the proprietor, Mrs. Mary Pugh. Martin said she grabbed him by the shoulder and arm and shouted, "You can't go in there. Get out of here, you newspaperman."

When asked what her name was she replied, "I don't have to tell you anything."

Davis quoted Pehlps as saying, "If you snap a picture here, I'll transport you to the fourth floor myself."

The brief scuffle with Martin was the only disturbance at the protest demonstration.

Law enforcement officials were cooperative with newsmen once the original confusion of the situation was past.

"REDOUBLE EFFORTS"

Bridle On Outbreaks Pledged By Trenholm

By THE ASSOCIATED PRESS

The President of troubled Alabama State College promised the State Board of Education Wednesday a continuing effort to prevent further racial demonstrations.

Dr. H. Councill Trenholm told the board of the actions he has taken since Negro students began campus demonstrations five months ago, and added:

"We are going to redouble our efforts to maintain control, and you can rest assured that anyone who stays out there will do so because of proper conduct."

Trenholm also promised board members that as far as he can go, the faculty for the coming school year will "reflect an improved and clarified staff resource."

The college president's statement brought the comment from Gov. John Patterson that he was satisfied with the work Trenholm has done. Patterson less than a month ago had asked the board to consider replacing the head of the all-Negro school.

Trenholm said he has had conversations with faculty members whose activities, he said, have resulted in some suspicion. He mentioned no names.

The college president said he has received resignations from three professors with Ph.D. degrees and "some additional resignations have been intimated."

Trenholm submitted a written review of developments at the college since the demonstrations started and the steps taken to prevent a recurrence. He said students and their parents have been warned on numerous occasions and that admission requirements have been enforced more rigidly.

Of 51 students against whom disciplinary action was taken during the demonstrations, the president said only 11 were admitted for the summer quarter at Alabama State.

Trenholm said there is "very little" evidence now of agitation on the campus but that college authorities are keeping a close watch on some students who, he said, perhaps are "still being used" by outside influences.

The Negro educator also gave board members a background report on each member of the faculty. The board previously had ordered him to get rid of any professor considered disloyal to the state and subsequently ordered him to fire the head of the history department, Dr. L. D. Reddick.

Reddick was dismissed June 14 after the governor presented evidence which he said showed the college professor had associated with communist groups in years past.

Reddick's name came up at Wednesday's board meeting but no action was taken to grant him a public hearing as he has requested.

Patterson told Trenholm his only purpose in going into the problems at Alabama State was to "see that the school is run right."

He said the racial incidents "caused us a great deal of trouble. They embarrassed the state of Alabama. Our enemies abroad made capital of it and used it against us."

He promised to support Trenholm "100 per cent as long as you run a good school."

LUNCH COUNTER - ALABAMA STATE COLLEGE
GOV. JOHN PATTERSON
PRES. H. COUNCIL TRENHOLM
ATTY. FRED D. GRAY

'Damned If They Do, Damned If They Don't'

Three Southerners Are 'Men-in-the-Middle'

By TREZZVANT W. ANDERSON
(Courier Roving Reporter)

MONTGOMERY, Ala.—You sit and watch the tall, gray-haired man sit in the witness chair in Federal District Court and try to understand the deep emotions which must be tearing his soul apart and you think of two other Negroes down here in Dixie who are in pretty much the same position as Dr. H. Council Trenholm, president of Alabama State College.

The two other men are Dr. William K. Payne, president of Savannah State College, and Cornelius A. Scott, editor of The Atlanta (Ga.) Daily World. Like Dr. Trenholm, theyve all been put in a position where they're "damned if they do, and damned if they don't."

Here in Montgomery, Dr. Trenholm must have undoubtedly been torn between two opinions, as he was critically questioned by young Negro Atty. Fred D. Gray on the part he played in quelling the recent student demonstrations at 'Bama State, alma mater of Erskine Hawkins, Avery Parrish and other alumni and alumnae of the school Dr. Trenholm has headed for 35 years.

■

THE GOOD DOCTOR—in his heart—certainly must have wanted his students to have freedom to express themselves. At the same time, recalling how the college has grown from its two-year status with 300 students when he became president to a four-year college with other 2,500 students, he certainly must have also wanted to do something to halt the growth of his college. Yet, he was under the whiplash that could be cracked by such a vicious anti-Negro white supremacist as Gov. John Patterson of Alabama, elected with Ku Klux Klan support.

Now, it is well known that you can't please everybody, so Dr. Trenholm had to make a choice. He apparently chose to please Governor Patterson and the Alabama Board of Education, and young Attorney Gray several times made Dr. Trenholm look awfully bad when he made the good doctor "refresh your recollection" on statements which he had to admit after first not having the answer.

From his seat in the witness chair, Dr Trenholm could look out on a sea of hostile dark Montgomery faces in the courtroom. On the right, menacingly sat Governor Patterson. It must have been a tough moment for Trenholm.

■

THE OCCASION was the hearing of the suit of six expelled 'Bama State students asking reinstatement to the school. It is a case of grave importance to Negro students in the five hardcore states, Georgia, Alabama, Mississippi, South Carolina and Louisiana, who may have been or might be expelled from state-supported schools for their part in the student protest movement.

Dr. Trenholm expelled his students, but he did it on orders from Governor Patterson and the State Board of Education. Having known him for almost 30 years, I don't believe Dr. Trenholm wanted to expel them, but as he told a white newsman: "I had no alternative." That is, if he was to keep his job. Now, he is being condemned by students, faculty members, and lay citizens who say he should have stood up to Patterson and the board.

Would it actually have made any difference in the final analysis? Big question now is: how is Trenholm going to make good his promise to make the students behave when they come back to school this month?

IN PRETTY much the same fix is Dr. Payne, president of Savannah State College in Georgia. He is subject to the whims and caprices of now Gov. Ernest Vandiver, after having undergone the administrative actions of ex-Gov. Marvin Griffin.

Who can forget the sight of Dr. Payne as "host" to Nova Scotian Negro miner Maurice Rudbeck at Jekyll Island in two trailers on a bleak island strand! But, surely a call from Governor Griffin "suggesting" such a thing was tatamount to an order, and Dr. Payne knew it. His friends—and they are many—sympathized with him. Then again came another "situation" when ex-Mayor W. L. Mingledorff of Savannah put him on a bi-racial committee to help work out the NAACP fight against downtown bias. He was "on the spot" again. The committee broke down. Many of Dr. Payne's students and some faculty members were involved in the protests, and that didn't help any."

■

I HAVEN'T TALKED with Dr. Payne and don't know how he feels. But I feel sure he wants his race to make progress and has sympathy with all efforts along the line. But, being at the mercy of men like Griffin and Vandiver in race matters is a bad predicament for anybody to be in. I recall the Griffin action in the case of young Dr. Otis Smith at Fort Valley and how he had Dr. C. V. Troup told to fire Dr. Smith as college physician. That was an order. He had to obey it.

■

NOW WE COME to the case of Editor C. A. Scott of the Atlanta Daily World. Mr. Scott, who approves of the goals of the student protesters but not of their methods, has lost a full-page ad from the A&P Stores which was a regular Friday contract. The students were picketing A&P stores in Negro areas.

He lost this ad from the white store, and then later Negro real estate dealers in Atlanta pulled their advertising out of The World because they felt The World was not supporting the student movement as it ought to do. These real estate men then gave their backing to a new weekly paper called The Atlanta Inquirer, supposedly in competition with The World as a reprimand to The World's position on the protests.

So, Mr. Scott is in that damned if you do, damned if you don't" position, too. These are by-products of the student protests, and you can't please everybody. Nobody can, or ever will.

■

THE POSITIONS of the college presidents, however, brings back to mind the tragic death in December, 1955, of Dr. F. D. Bluford, then president of A&T College at Greensboro, N. C.

Last February, discussing that with an A&T staff member, it was agreed that the tough strains of dealing with the then all-white board of trustees and Gov. Luther Hodges was pretty severe on Dr. Bluford. It was more so after students had openly booed Gov. Hodges at an assembly It just could be true that the severe strain helped shorten Dr. Bluford's life. He was dedicated to building A&T and he did that.

However, here are two other cases where mental acumen and sagacity wrought well for two Negro college presidents who had to confront anti-Negro officials. They were: the late Dr. James E. Shepard at N. C. College, Durham, N. C., and the late Dr. Joseph W. Holley at Albany (Ga.) State College. Both men built fine institutions. "Uncle Jim" in Durham knew exactly how to handle his superiors and there were few who would ever call him an "Uncle Tom." Dr. Holley at Albany could wrap the late Gov. Gene Talmadge around his little finger, and often did so.

■

NOW OUR THREE Southern-ers "in the middle" are facing dual fires, and all three can boast of a singular distinction: each is a Morehouse College man.

Dr. Trenohlm came out a few years ahead of Dr. Payne, whose father-in-law was 'Bama State's first Negro president. Dr. Payne's first job in 1923 was at 'Bama State. He was a classmate of Dr. James M. Nabrit Jr., now Howard University president. Ironically the head of the Atlanta student protest is Lonnie C. King Jr.—a Morehouse student.

Expelled Students in Court

The Pittsburgh Courier

Grilled by Negro, Ala. Gov. Squirms

Pittsburgh, Pa.

Sat. 9-3-60

By TREZZVANT W. ANDERSON

MONTGOMERY, Ala.—Gov. John Patterson of Alabama was an evasive witness here insofar as giving direct answers to Negro Atty. Fred D. Gray was concerned in the Federal hearing of a suit by six Negro students seeking reinstatement to Alabama State College.

They had been expelled on orders from Patterson to Dr. H. Council Trenholm, president of the college.

Governor Patterson apparently sought to encouch his answers in the form of impromptu talks as Attorney Gray put him through an intense grilling on cross examination. Governor Patterson was the first witness for the state in the case.

■

HE REPEATEDLY told Attorney Gray and court that he had given "suggestions" to Dr. Trenholm that he would expel the students who first demonstrated at the County Courthouse Snack Bar on Feb. 25.

"I told him if I were in his position," was the way Governor Patterson told the court he gave the word to Dr. Trenholm.

On the stand, the uneasy Governor was asked by Attorney Gray "What was wrong with their going to the courthouse snackbar?" Said Governor Patterson: "When 29 students come down town to create an incident to bring discredit upon the college, tha. was what concerned us."

■

ATTORNEY GRAY again asked him: "What was wrong with their going to the courthouse snack bar?" He never did get a direct answer.

While Governor Patterson and others of the state board of education kept saying the students were expelled because of the snack bar inicdent and subsequent ones, Attorney Gray finally made the Governor admit that only the original 29 students who went back to the snack bar were disciplined.

Only six of them were party to the suit. Twenty were also on probation.

Governor Patterson and Dr. Trenholm admitted to the court that the students were given no hearing, no warnings, but were summarily expelled. This, they said, violated their constitutional rights.

■

DR TRENHOLM himself was the first witness called by Attorney Gray. Dr. Trenholm tried obviously to protect the Governor and the state board and could frequently not remember certain things. Mr. Gray would refresh his recollection and then Dr. Trenholm would give affirmative answers. It was a pitiful sight.

After he left the stand, Dr. Trenholm was congratulated by Governor Patterson on his testimony, and urged to rush plans for some new buildings for the college so he (Patterson) could push the funds through for them. Dr. Trenholm told The Courier he had not been offered a full-time post with the American Teachers Association officially, should he leave his job at the college. This, he said, he had not considered.

Judge Johnson Friday upheld the state's right to expel six students. A notice of appeal was given promptly.

LUNCH COUNTER
MAC-MURRAY COLLEGE, JACKSONVILLE, ILL.

Arrest Mixed Group

Chicago Defender, Chicago, Ill. p. 1



FOUR WHITE STUDENTS from MacMurray college, Jacksonville, Ill., sit in back of police car after their arrest in Montgomery, Ala. They were among a group of 10 white students, seven Negroes, and a white sociology professor who were arrested when they ordered lunch in a Negro restaurant. UPI Telephoto

Sociologist Disappointed By Verdicts

The Montgomery Advertiser
Montgomery Ala

"I am extremely disappointed," Prof. Richard D. Nesmith said Friday in commenting on the guilty verdicts handed down against myself and 19 other persons who attended an inter-racial luncheon at a Negro cafe.

"We understand the fears that are here and we only hope that some good can come of this," the blond, stocky professor from MacMurray College in Jacksonville, Ill., said.

Nesmith, 31, said he is a dean and sociology teacher at the college, located near Springfield, Ill. The college, he said, is the "official Methodist college of the Illinois Methodist Conference."

SOUTHERN TOUR

It has an enrollment of about 850, he said, of which "22 or 24 are Negroes."

Montgomery was the fifth major city Prof. and Mrs. Nesmith and his 10 white students visited during a tour of the South to study "issues and problems." He said Montgomery was included because it was the scene of the "bus boycott" during the winter of 1956-57.

The group wanted to study the "non-violence" movement among Negroes, he stated.

The tour is a regular college-approved field trip and is part of the curriculum, the professor stated.

"It is broader than just race problems," he said. "We wanted to visit a cattle farm near here in our study of changes in agriculture."

JACKSON LUNCHEON

Before arriving in Montgomery, the college group visited Little Rock, Jackson, Miss., New Orleans and Vicksburg.

Asked by City Solicitor Dave Crosland if they had attended a previous inter-racial luncheon in the South, Nesmith said that they had in Jackson.

He said the group contacted Hodding Carter, noted Mississippi newspaper editor, in Jackson.



INTEGRATED LUNCHEON — A group of white students from MacMurray College, Jacksonville, Ill. were given a luncheon arranged by the Montgomery Improvement Association after visiting Alabama State College. Three students of the Alabama school and two others expelled recently for their part in student demonstrations, attended the luncheon which ended when city police arrested them all on charges of disorderly conduct.

Article in Yale Law Review scores evils of segregation

The Afro-American
Baltimore Md
Aug 16 1960

NEW HAVEN, Conn. (ANP) —"Segregation in the South," writes Professor Charles L. Black in the current issue of the Yale Law Review, "comes down in apostolic succession from slavery and the Dred Scott case."

"The South fought to keep slavery and lost.

Judge Issues Statement On Conduct

The Montgomery Advertiser
Montgomery Ala
Aug 16 1960

Here is the text of the statement issued by Recorder's Court Judge D. Eugene Loe Friday in returning guilty verdicts against the whites and Negroes who were found guilty of violating the city's disorderly conduct statute:

"In passing judgment on these cases, the court finds that the defendants were guilty of conduct calculated to provoke a breach of the peace as defined by Chapter 20, Section 18, as amended, of the ordinance of the City of Montgomery, defining disorderly conduct.

"The court further finds that the conduct of the defendants was not only calculated to provoke a breach of the peace but that an actual breach of the peace was prevented only by the timely arrest of the defendants by the police as evidenced by the tension building up in the crowd of Negroes who were gathering outside the restaurant in protest of the defendants' acts.

"As has been often stated by this court, the punishment for the commission of a crime has a two-fold purpose—one is the punishment of the offender—the other is that the punishment may act as a deterrent to others to commit similar offenses."

When Judge Loe finished reading the statement, he called the defendants before him one at the time and announced the amount of the fine.

Police Arrest Mixed Group At Restaurant

The Montgomery Advertiser
Montgomery Ala

By DICK HINES

A white college professor from Illinois and 11 students, in Montgomery for a "sociological" study, were arested along with seven Negroes while lunching together in a Negro cafe here Thursday.

The professor's wife also was in the group and Police Commissioner L. B. Sullivan ordered all 20 taken to jail.

They were charged under a new disorderly conduct statute which says the charge includes an activity "calculated to create a breach of the peace."

METHODIST COLLEGE

Following the raid on the Regal Cafe, located on Grove street at the intersection of Jackson street, proceedings began toward closing the establishment for violation of fire regulations.

Prof. and Mrs. Richard D. Nesmith and their students, including six white women, were visiting here from MacMurray College, a Methodist institution at Jacksonville, Ill.

The Nesmiths and the seven Negroes were later released on $200 bond each. The Nesmiths picked up their 2-year-old daughter who was cared for by the Welfare Department while they were in jail. The 11 white students were in the process of making bond late Thursday night.

Among the seven Montgomery Negroes arrested were two ministers, the Rev. Solomon S. Seay S..., 61, and the Rev. Robert Earl DuBose, 32. Both are leaders in the pro-integration Montgomery Improvement Assn.

The college group was reported to be lunching at the invitation of the MIA.

Two of nine students expelled March 4 from Alabama State College for taking part in an anti-segregation demonstration were also among those arrested. They were Marzette Watts, 22, of 644 Emerson St., and Elroy Embry, 33, of 1226 S. Hall St.

Sullivan said police went to the cafe after receiving several telephone calls to the effet that "a crowd was congregated outside the Regal Cafe." When police arrived there, he said, a number crowded about the cafe.

'REALLY MIXED'

Chief of Police G. J. Ruppenthal said that when he and the other officers went inside, they found the integrated group sitting about a large T-shaped table "eating chicken."

"They were really mixed," Ruppenthal said. "White women were sitting next to Negro men."

The group offered no resistance to arrest. Ruppenthal said they talked among themselves as they were being led out and he did not hear them comment on the situation to officers.

Sullivan said that when the Negroes outside were asked to disperse, they complied immediately. "They cooperated very incely," the commissioner said.

Nesmith, 31, said he is a sociology professor at MacMurray. He and his 27-year-old wife and the 11 students had been touring Southern cities, he said, to look into such racial problems as housing, job opportunities and other factors related to sociology..

NEW ORDINANCE

The professor said they had visited New Orleans and Little Rock and planned to leave later Thursday for Tuskegee, where Negroes of Tuskegee Institute have demonstrated against segregation.

The disorderly conduct ordinance under which they were charged was adopted by the city about two weeks ago. It contains the same provisions as the state statute on disorderly conduct.

Montgomery has no ordinance prohibiting integration in eating places. It had one until 10 days ago, but it was repealed along with similar ordinances banning integrated sports and other recreational events.

The city Commission struck them from the books because it was believe they were most vulnerable in the event persons arrested under these offenses appealed to federal courts.

PRAYER,SINGING SERVICES THWARTED AT CAPITOL
MONTGOMERY,ALABAMA (HELD AT DEXTER AVE.,CHURCH



CITY, COUNTY AND STATE OFFICERS KEEP ORDER DURING DEXTER DEMONSTRATION

City, county and state law enforcement officers joined hands Sunday afternoon on Dexter avenue to prevent protesting Negroes from marching on the state Capitol and at the same time prevent any outbreak of violence between Negroes and some 5,000 white persons. At left can be seen the measures taken by officers to keep the white throng at a safe distance. Two fire trucks were brought to the scene for hosing down demonstrators on either side. And sheriff's deputies mounted on horses can be seen forcing the white crowd away from the Negro church (upper right hand corner). The photo at right was taken just as the



Staff Photo By Floyd Jett

NEGRO WOMAN WALKS ACROSS STREET ON WAY TO MEETING
Policemen Ordered Two-Abreast Negroes To Proceed In Single File

Coordinated Police Plan Averted Demonstration

Law enforcement agencies proceeded according to a coordinated plan in turning back efforts of Negroes to stage a demonstration on the State Capitol grounds.

Some 400 officers were on duty to avert the threatened march on the Capitol.

"I am very grateful to the department heads and the men — Floyd Mann of the Highway Patrol, Billy Parsons of the reserve plice, Sheriff Mac Sim Butler of the county and the entire police department," Sullivan said. "They displayed wonderful cooperation."

Sullivan explained that "coordinators" from each department worked out the plans for deployment of the officers. The cordinators were Capt. C. M. Thorsen of the Highway Patrol, Chief Deputy Richard Goodwin of the sheriff's office and Asst. Police Chief Marvin Stanley.

Reserve police offices wore Civil Defense armbands. This was so they could be readily identified, Sullivan said, since the armbands were more conspicious than the small badges which are issued to reserve officers.

Sullivan also expressed his appreciation to the white people on the scene for obeying officers' pleas to leave the grounds and to leave the situation in the hands of police.

State Highway Patrolmen, more than 100, about 70 of whom were called in from other districts, according to Public Safety Director Floyd Mann.

In addition, there was a number of state investigators as well as city detectives.

400 POLICE KEPT ORDER

More than 400 city, county and state law enforcement officers, special deputies and reserve policemen were on duty Sunday afternoon to maintain order among crowds of spectators in the Capitol area.

Here's the breakdown:

Regular city policemen, approximately 150. Reserve policemen, 50 to 75, according to Police Chief G. J. Ruppenthal.

County sheriff's force, 17. Special deputies, 35, according to Chief Deputy Richard Goodwyn.



CROWD URGED TO DISPERSE

Montgomery County Sheriff Mac Sim Butler, mounted on a horse, uses a portable loudspeaker to urge the white crowd surrounding the Dexter Avenue Baptist Church to disperse. At his right is Police Commissioner L. B. Sullivan while at the left is Capt. J. R. Eiland of the police department.—**AP Photo by Horace Cort.**

IMPORTANT IN STRATEGY

Use Of Mounted Deputies Effective Surprise Element

By DON McKEE
Advertiser State Editor

The use of mounted deputies to control and disperse a vast crowd here Sunday marked the first time in recent history that horsemen have been employed for police work in Montgomery.

The element of surprise was important in the strategy of the mounted patrol led by Sheriff Mac Sim Butler.

As one part of the huge crowd turned into a mob of yelling, angry white men, advancing on Negroes who retreated to the Dexter Avenue Baptist Church steps, suddenly the horsemen appeared.

As the horsemen, armed and carrying clubs and canes, deployed among the crowd, the agitators were forced to back up. The prospect of being stepped on by a horse is not a pleasant one.

Sheriff Butler, who organized the mounted patrol, handpicked 16 special deputies, in addition to Deputy Sheriff R. C. Holton and ABC agent Clarence Ward, for the detail. In all, there were 19 horsemen.

Butler contacted the men, who rode their own horses, after a Saturday meeting of city, county and state law enforcement officials.

Horses used by the special deputies were quarterhorses and saddle horses. Although the animals had had no special training, they showed good control in "hazing the crowd away from the trouble area."

Quarterhorses, of course, are trained to handle cattle and other stock on farms and ranches. And Butler picked men who were skilled riders to assist in the mounted detail.

The riders brought their horses to Montgomery Sunday morning in trailers and trucks. They gathered at Ft. Dixie Graves Armory on Madison avenue and the special deputies were sworn in by the sheriff.

Chief Deputy Richard Goodwyn said he was on duty in a county car near the Capitol steps when the trouble started. The mounted deputies were then on standby in the parking lot of the state Administrative Building.

As prearranged, Goodwin notified Butler of the disturbance on car-to-car radio and the horsemen clattered down Monroe and Decatur to the scene.

The mounted contingent of the several hundred officers on duty appeared very effective in dispersing the crowd.

3Pa 1960 ALABAMA

SOCIOLOGY PROFESSOR AND STUDENT GROUP FROM JACKSONVILLE, ILLINOIS IN MONTGOMERY, ALABAMA TO STUDY LUNCH COUNTER SIT DOWN

Heavy Fines Levied On Mixed Eaters

Professor, Wife, 7 Negroes, 11 White Students Convicted

MONTGOMERY, April 1 (AP)—A stern judge who at one point threatened contempt action today levied heavy fines against 13 white defendants and seven Negroes arrested while eating lunch together.

A white college professor, one white student and five of the Negroes drew fines of $100 and costs on their convictions of disorderly conduct.

The sociology professor's wife, 10 white students and two other Negroes, also college students were fined $50 and costs.

Defense attorneys immediately announced plans to appeal to higher court. Bonds were fixed at twice the amount of the fines.

Prof. Richard D. Nesmith, his wife and 10 of the white students from MacMurray College in Jacksonville, Ill., and the other white student is from Boston University. The Negroes are all from Alabama.

Mixed Lunch

All 20 were charged with disorderly conduct when police raided a Negro cafe where they were lunching together yesterday.

Nesmith drew a $100 fine along with two Negro ministers, the Rev. S. S. Seay Sr., and the Rev. R. E. Dubose Jr.; the Boston University student, R. Edwin King; a Negro student, James Richburg, and two former students who were recently expelled from Alabama State College for Negroes.

All of the defendants made their appeal bonds shortly afterward and were released.

Marzette Watts of Montgomery and Elroy Emory of Ragland, Ala., were among the nine campus leaders ousted from Alabama State March 2 for their part in student racial demonstrations.

Watts also was convicted of vagrancy following his trial on the disorderly conduct charge, but City Judge Eugene Loe postponed sentence until next Friday and gave the Negro a chance to show he has made a sincere effort to find work.

If Watts can make such a showing, the judge said he may set the conviction aside.

Emory also was charged with vagrancy but his trial was continued until next Friday.

Fined $50

Fined $50 and costs along with Mrs. Nesmith were the following MacMurray students:

David C. Gibson, 19, of Mobile, Ill.; Thomas W. Ramsberry, 22, of South Bend, Ind.; Bill Hatlestad, 20, of Detroit Lakes, Minn.; Charles Bradburn, 20, of Pittsville, Ill.; Judith Erneling, 22, of Aurora, Ill.; Sharon Maton, 22, of Pana, Ill.; Jeanne Walker, 21, of Dixon, Ill.; Jacqueline Desvaux, 21, of Jacksonville, Ill.; Jane Bergsten, 21, of Tonkawa, Okla., and Theil Baumann, 20, of Arlington, Va.

Negro students at Alabama State fined $50 were Aner Ruth Young, 27, and Besie Cole, 21.

All 20 defendants were convicted of violating a newly revised city ordinance which defines disorderly conduct, among other things, as any act calculated to create a breach of the peace.

Neither the Negroes nor visiting whites were charged with violating segregation laws as such. City ordinances prohibiting integration were repealed last month in the hope that the absence of segregation laws might strengthen the city's hands in dealing with racial demonstrators.

The only defense testimony in today's three-hour court hearing came from Dr. Richard D. Nesmith, 31-year-old head of the sociology department at MacMurray College.

Professor's Testimony

Nesmith said the group from Illinois came to Montgomery as part of a Southern tour to study sociological conditions. He said they had visited Jackson and Vicksburg in Mississippi and New Orleans before coming here.

He said he knew race relations in Montgomery were strained but that he was unaware of recent Negro student anti-segregation demonstrations and a near racial clash during an abortive Negro mass meeting at the state Capitol.

Police broke up the rally and drove away a threatening crowd of some 5000 white persons.

Judge Eugene Loe halted the trial at one point with the observation that some of the white students appeared to be smirking. He threatened contempt action if they continued.

Minister's Version

The Boston University student, who told reporters he was already in Montgomery when the MacMurray group arrived, is the Rev. R. Edwin King Jr., who identified himself also as assistant pastor of the Grace Methodist Church in Cambridge, Mass. He is studying theology at Boston.

King previously had been listed as a student from MacMurray.

Dr. and Mrs. Nesmith and the MacMurray students were defended by a white attorney, Clifford J. Durr, a former member of the Federal Communications Commission.

Three Montgomery Negro lawyers represented King and the Negro defendants.

Police officers testified at the outset of the trial that the presence of the whites and Negroes eating together caused a tense atmosphere and attracted a large crowd of Negroes outside the cafe.

* * *

Agitators Told To Stay Away

MONTGOMERY, April 1 (AP) — Although Montgomery has a reputation for "being a city of true Southern hospitality," Police Commissioner L. B. Sullivan says racial agitators are not welcome.

"We have in the past and will continue in the future to extend every reasonable courtesy to out-of-town and out-of-state visitors," the city official said in a prepared statement.

"But I want to make it perfectly clear and understood that our hospitality and courtesy does not incvlude coming into our city for the express purpose of violating our laws, customs and traditions."

Sullivan said this was "the very obvious objective of this group of people who were on trial today in recorders court."

"For the beenfit of those who come to Montgomery for the purpose of creating racial tensions an agitators," he said, "let me once again remind you that you are not wanted and if you insist, upon violations we will use every lawful and legal means within our authority to discourage your efforts and activity."

ALABAMA

66 STUDENTS FINED $7,000

LUNCH COUNTER- SIT DOWNS
ALABAMA STATE COLLEGE

What Price Dignity?

66 Students Fined $7,000

MONTGOMERY, Ala. — It is becoming increasingly expensive to maintain human dignity in the South if fines levied against student protest demonstrators are any indication.

At press time 32 students had been fined $208 each on disorderly conduct and disobeying an officer charges. They were fined $100 on each charge and ordered to pay $8 apiece for court costs.

In Richmond 34 students were fined $20 each on the same charges.

■

These fines total more than $7,000—the high cost of seeking equal rights in the South.

Professor Is Convicted; Wife, Students Freed

MONTGOMERY, May 10 (AP)—A sociology professor from Illinois was convicted today but his wife and 10 white students who joined him in eating lunch with Negroes were acquitted.

Dr. Richard Nesmith, head of the sociology department at MacMurray College at Jacksonville, Ill., was fined $100 and costs for disorderly conduct after an all-white jury convicted him in his appeal trial.

Nesmith, his wife and the 10 students had been convicted of the same charge earlier in city court, and appealed to state court.

The jury deliberated nearly three hours before handing its verdict to Judge Eugene Carter.

Nesmith said he will appeal the verdict to higher courts, but he went to jail for the night nevertheless.

The exact amount of the fine and costs were not calculated immediately and by the time they had been figured out, the judge had left the courthouse.

The costs came to $58, including witness fees.

The students told the jury earlier in the day that they had no idea of causing trouble when they ate with the Negroes in a cafe.

They said their visit to Montgomery was part of a field trip in connection with their study of sociology at MacMurray College at Jacksonville, Ill., and nothing more.

The Illinois visitors were arrested with another white student from Boston University and seven Alabama Negroes while eating at a Negro cafe on March 31.

While the MacMurray students, their professor and his wife were on trial in one courtroom, the other eight defendants went on trial in another part of the courthouse this afternoon.

But attorneys for the Negroes and the Boston student agreed to let Special Judge Sam Rice Baker hear the case without a jury.

The MacMurray students took the stand near the close of their trial before an all-white jury. Like the other eight defendants, they were convicted in city court last month and appealed to state court.

Defense Atty. Clifford J. Durr of Montgomery used the testimony of the students today and their professor, Dr. Richard Nesmith, yesterday in an effort to disprove the city's contention that their conduct was "calculated to provoke a breach of the peace."

Under a recently revised city ordinance, that constitutes disorderly conduct.

Under questioning from Durr, who is a former member of the Federal Communications Commission, the students said they visited Montgomery, along with other Southern cities, to get a first-hand look at racial problems.

But they insisted they had no advance knowledge that a near race-riot had occurred here as an outgrowth of Negro student demonstrations against segregation.

City Prosecutor David W. Crosland contended nevertheless that the white students knew that Negro lunch counter sitdowns had caused racial trouble in the South.

Consequently, he argued, they must have known that eating lunch with Negroes in Montgomery might incite violence.

The accused white students are: David C. Gibson, 19, of Moline, Ill.; Thomas W. Ramsbey 22, of South Bend, Ind.; Bill Hatlestad, 20, of Detroit Lakes, Minn.; Charles Bradburn, 20, of Pittsfield, Ill.; Judith Ernerling, 22, of Aurora, Ill.; Sharon Maton, 22, of Pana, Ill.; Jeanne Walker, 21, of Dixon, Ill.; Jacqueline Desvaux, 21, of Paris, France; Jeanne Bergsten, 21, of Tonkawa, Okla., and Theil Bauman, 20, of Arlington, Va.

Arrested with them, and put on trial this afternoon were R. Edwin King of Boston University, a white student, and Seven Alabama Negroes—The Rev. S. S. Seay Sr., The Rev. R. E. Dubose Jr., Marzette Watts, Elroy Emory, James Richburg, Aner Ruth Young and Bessie Cole.

Negro Youths Appeal Fines In Sitdowns

SAVANNAH (AP) — One of the recent sitdown wave here will be reviewed in superior court — the fourth local bar of justice to hear such cases.

Three Negro teen - agers sentenced in county police court say they are innocent and have petitioned Superior Court Judge Dunbar Harrison to hear them.

Judge Harrison granted a writ of certiorari at the request of Ellis Mobley, 17, Mary Louise Law, 18, and Arthur Samuels, 17, who were convicted in county police court on the charge of loitering and fined $100 or sentenced to serve 30 days. The 30-day sentence was to be probated on good behaviour of the defendants.

The county police arrested the trio at a drugstore in a west side shopping center April 8. Attorney for the defendants contended the store manager did not ask for their arrest after they sat down at the drug store lunch cunter and they did not create a disturbance.

Two Negroes were on the forty-four-man panel from which the jury was drawn. They were stricken from the panel by City Prosecutor David W. Crosland along with fourteen others.

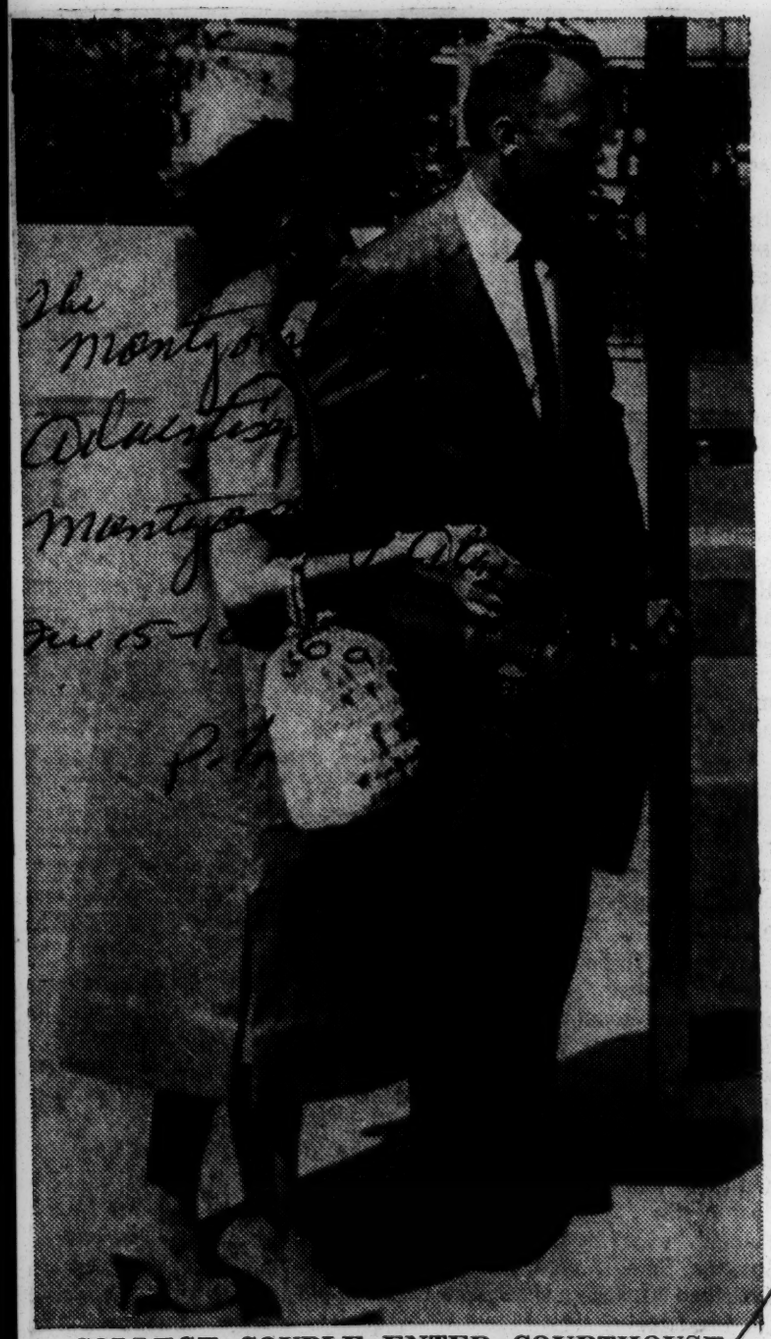
12 TRIED FOR EATING WITH NEGRO GROUP

MONTGOMERY, Ala., May (AP)—A white professor, his wife and ten white students from Illinois went on trial before an all-white jury here today for eating lunch in a cafe with a group of Negroes.

It was the second appearance in court for Dr. and Mrs. Richard Nesmith and the professor's sociology students from MacMurray College at Jacksonville, Ill.

With seven Negroes and another white student, they were convicted in City Court on disorderly conduct charges and fined $50 to $100 each, but appealed to Circuit Court and asked for a jury trial.

The eight other defendants also appealed. Their cases are scheduled to come up next.



COLLEGE COUPLE ENTER COURTHOUSE
Professor, Mrs. Nesmith Before Trial Opened

PROSECUTION RESTS
Touring Sociologists' Trial Continued Here

By ARTHUR OSGOODE

The attorney for 12 white defendants argued in Circuit Court here Monday that they were not tending to incite violence when they ate with local Negroes in a separate dining room in a Negro cafe.

But City Attorney Dave Crosland sought to show that a "tense atmosphere" had been created by the evidence in this case," said Durr.

Observing that the city had repealed the only local statute forbidding members of both races to dine together in restaurants, Durr argued that: "Like it or not, they had a perfect legal right to do it."

Judge Carter overruled the motion.

NO VIOLENCE

Police Chief G. J. Ruppenthal and Detective R. C. Cox both testified earlier that a tense situation had developed at the Regal Cafe because of the presence of the whites. However, neither recalled seeing any violent behavior or hearing any abusive or threatening language.

The defendants are Dr. and Mrs. Richard Nesmith, Thiel Baumann, Jeanne Bergsten, Charles Bradburn, Jacqueline Desvaux, Bill Hatlestad, Sharon Matson, David C. Gibson, Thomas W. Ramshey, Jeanne Walker and Judith Ermeling.

Nesmith is dean of men and professor of sociology at MacMurray College, Jacksonville, Ill. The latter 10 are sociology students at the college.

They were arrested here, with seven Negroes, and a white Bos- violent, provocative, or boisterous manner.

He asked Ruppenthal why he failed to arrest the defendatns ton College student and convicted in Recorder's Court last month. All appealed, but the other cases are to be tried later.

Durr Monday drew from two policemen, WCOV-TV newsman Lee Allen Ford, and investigator Willie B. Painter of the Alabama Department of Public Safety, testimony to the effect that the defendants did not behave in a on his arrival, if they were breaking the law, rather than 45 minutes later, Ruppenthal replied that he acted when the defendants failed to leave and the crowd outside grew larger.

NEGROES GATHER

Both Ruppenthal and Cox also replied, under cross-examination by Durr, that they had not advised the group either that they were breaking the law or that a tense situation was developing.

Prosecution witnesses testified that some 300 Negroes had gathered near the cafe, which has since been closed, after the arrival of police.

Durr sought to bring out that the presence of police officers normally attacts a crowd.

After Nesmith took the stand as the first defense witness, the testimony shifted largely to the reasons behind the trip and sometimes skipped to such items as a visit to a cattle farm and Nesmith's experiences in grammar school.

Crosland sought to show that Nesmith had come to Montgomery knowing that a tense situation prevailed here, and further that he had sought to see only integrationists on the field trip.

Nesmith replied, however, that he had not heard of recent racial strife here, and that the group had attempted to contact Gov. Orval Faubus of Arkansas and had actually talked to other segregationists.

FRENCH WITNESS

He had written to the Montgomery Chamber of Commerce for a meeting before coming here, he further testified.

Final witness before the recess was Jacqueline Desvaux, a French student attending the college under a Fulbright scholarship. She testified that Nesmith had not instructed his students on any particular point of view to assume on the segregation issue, and that she took no part in student demonstrations during the trip.

William C. Bowman, chairman of the board of the First National Bank, took the stand to testify that as honorary French consul for Alabama, he had been instructed to look into the case of Miss Desvaux.

Cross-examined by Crosland, who asked if Fulbright scholarships were intended to involve students in racial incidents, Bowman replied he believed the method of instruction is left up to the colleges.

LIMITED BUDGET

He also flared briefly at Crosland, who had interrupted his answer, saying:

"You don't want the facts, do you?"

Other testimony brought out that the students stayed at the Montgomery Improvement Assn. building overnight, due, said Nesmith, to a limited budget that required them to seek lodging at churches and other institutions. The group, he said, had already visited Little Rock, Greenville, Miss., Vicksburg, Miss., Jackson, Miss., and New Orleans before coming here.

Before the trail began, Durr asked that jurors be asked if they were, or had been, members of the Ku Klux Klan, or other organizations dedicated to preserving segregation. Several responded in the affirmative.

But none of the jurors said they objected to white and colored people eating together, in response to another question from Durr.

They also said they did not belong to the Southern Regional Council, NAACP, CORE, or the Communist party, in answer to questions from Crosland



FRENCH WITNESS

Jacqueline Desvaux, of France, went on trial here Monday in a case involving integrated dining in a local Negro restaurant. She was among 12 defendants, all of MacMurray College, Jacksonville, Ill.

the defendants, members of an Illinois college class making a sociological field trip, justifying their arrest and conviction in a city court of disorderly conduct.

Judge Eugene Carter recessed the trail Monday afternoon until 9 a.m. Tuesday.

The prosecution rested its case during the afternoon, after which defense attorney Clifford Durr, a former member of the Federal Communications Commission, made his second move to have the case dismissed.

"I don't believe that even any prima facie case of disturbing the peace has been established by

Montgomery Pair Fined In Race Riot

Newspaper Employes, Police Involved In Fracas

MONTGOMERY, Ala., April 8. —(UPI)—Two Montgomery Advertiser-Journal employes were found guilty in recorder's court Friday and fined $10 and costs.

Chief Photographer Charles Moore pleaded innocent to charges of failing to obey an officer while taking pictures during a Sunday Negro demonstration March 6 which was broken up by police.

Ernest Johnson, a Negro janitor, pleaded innocent to charges of assaulting an officer on a downtown street.

Neither man paid the fine and must decide within five days whether to appeal the decision.

Moore was arrested while taking pictures of a Negro attempt to march on the Capitol through a jeering crowd of white people. He was charged with breaking police lines to take the pictures in violation of police orders.

Johnson was accused of pushing and scratching an officer when he was stopped on the street and searched because he looked like a suspect wanted in connection with several burglaries and robberies.

Illinois Prof Appeals After Night In Jail

MONTGOMERY, May 11 (UPI) — Tired and grimy from an uncomfortable night in jail, Sociology Professor Richard Nesmith filed an appeal in Circuit Court today following his conviction on disorderly conduct charges for eating lunch with seven Negroes here.

The bewhiskered professor then gathered his wife and 10 MacMurrary College students together for the two-day drive back to Jacksonville, Ill.

The 10 students and Nesmith's wife, Barbara, were acquitted yesterday by an all-white jury which deliberated two hours and 15 minutes.

The 12 Midwesterners were declared guilty of conduct calculated to provoke a breach of the peace in Recorder's Court April 1 after police raided a Negro cafe the day before and found them eating with Negroes in a private dining room. The fines were appealed to Montgomery Circuit Court.

Circuit Judge Eugene Carter dismissed a motion for a new trial immediately after passing sentence on Nesmith — $100 fine and $73 costs—and Defense Attorney Clifford Durr, a former member of the Federal Communications Commission, filed an appeal with the State Court of Appeals which handles appeals of misdemeanor cases Bond was set at $500.

Durr also paved the way for an appeal to the federal courts, if necessary, by declaring the charges lodged against Nesmith and his students on a sociological tour, was a violation of the freedoms of speech and assembly and due process of law.

It was an unusual chain of circumstances which resulted in Nesmith, an ordained minister, having to spend the night in jail.

After the jury returned its verdict about 5:30 p.m. yesterday, Durr was under the impression Nesmith would remain free on the same $200 bond which he made in the original case.

But as they started to leave, court officials told Nesmith he would have to remain in custody.

DINED WITH NEGROES

Sociology Professor Found Guilty, Students Acquitted In Mixing Case

By ARTHUR OSGOODE

Ten college students from Illinois and the wife of their sociology professor were found not guilty in Circuit Court here of disorderly conduct in dining with a group of local Negroes in a Montgomery Negro restaurant.

But Dr. Richard Nesmith, professor of sociology and dean of men at MacMurray College, Jacksonville, Ill., was found guilty and fined $100 and costs.

The Nesmiths and the 10 students had appealed convictions in Recorder's Court last month following their arrests, with seven Negroes and another white student in the Regal Cafe, which has since been closed.

Nesmith plans to appeal the case, but in the interim was taken to jail for the night.

The appeal could not be made until after Nesmith had been sentenced. Judge Eugene Carter told defense attorney Clifford Durr that he could not sentence Nesmith until the court costs had been figured out.

But while Durr was getting the costs totaled in the office of the circuit clerk, Judge Carter left the building. Nesmith was taken up to jail immediately after the trial.

The jury was out almost three hours after hearing Durr and City Attorney Dave Crosland present their final arguments.

Crosland told the jurors that the defendants had come to Montgomery, knowing that a tense atmosphere existed here, and created a dangerous situation that might have erupted in a riot.

He named several well-known integrationists the group had planned to see during their field trip in the Scuth, especially singling out Harold C. Fleming—"this is the head man"—who is executive director of the Southern Regional Council.

The group came down, argued Crosland, "to make it look like this (Montgomery) is an ugly place to live."

Maintaining that the Negroes surrounding the cafe resented the presence of the whites, Crosland asked:

"What do you think a Negro thinks about a white man going to his place to eat?"

"He would naturally resent it," he said in answer to his own question.

He finally charged that the students, here for the purpose of making an impartial study of the racial situation, ate lunch with "the people who were stirring things up in Montgomery."

Durr told the jurors that no breach of the peace had taken place, and that the crowd that grew outside the cafe were simply curious bystanders drawn by the arrival of police cars.

"When did that breach of the peace take place?" Durr asked. "Was it going on when the police officers arrived? If so, why didn't they arrest them then?"

He further noted that Police Chief G. J. Ruppenthal and other police officers who testified acknowledged that they remained at least 45 minutes without telling the mixed group to leave or warning them that they were breaking the law.

There was absolutely no testimony showing any disorderly conduct, threatening language, or displays of anger, Durr observed.

He further noted that the defendants had been taken to jail where all but the Nesmiths remained for more than 24 hours, and that the Nesmith's baby had been taken from them while they were jailed.

"That's not the kind of tradition the Scuth is noted for," said Durr. "We have a tradition of fair play, a tradition of kindness and courtesy to people from outside."

Each of the students took the stand Tuesday to testify that they had no intention of causing racial trouble, but had come South merely to observe conditions at first hand.

All also maintained they had no advance knowledge of recent racial trouble here, though Crosland asked each of them whether they had read newspaper accounts of the abortive march on the Alabama Capitol by local Negroes.

They also said they stayed in church basements and camped out to cut expenses, and stayed here in the headquarters of the Montgomery Improvement Assn.

SHOOTS BARB

Mrs. Nesmith shot a barb at Prosecutor Crosland.

Asked by Durr if she had a preconceived idea of what she would find in the South, she replied:

"I had a happier view of the South (before the trip . . . than Mr. Crosland, in particular, has tried to paint."

The defendants, besides the Nesmiths, were David C. Gibson, Thomas W. Ramsbey, Bill Hatlestad, Charles Bradburn, Judith Ernerling, Sharon Maton, Jeanne Walker, Jeanne Bergsten, Theil Desvaux, who is from Saint Germaien-Laye, France.

Dismissal Motion Denied Negroes

By DICK HINES

A Negro attorney argued Tuesday that acquittal of 11 white persons on charges of disorderly conduct arising out of an interracial luncheon entitles Negro participants to a like verdict — even though the trials for the two groups were held separately.

CITES AMENDMENT

But Special Judge Sam Rice Baker denied the motion by Atty. Fred Gray for dismissal of charges against his eight clients.

Gray, representing seven Negroes and a young white minister, made his motion after learning that 11 white defendants in a nearby courtroom had been found "not guilty" of disorderly conduct charges.

"To compel the defendants (in his case) to proceed . . . and in the event they are subsequently convicted . . . would deny them equal protection of the law under the due process clause of the 14th amendment," Gray argued.

Judge Baker pointed out that the jury in Judge Eugene Carter's courtroom did convict one defendant in the disorderly conduct cases. He was Professor Richard Nesmith, leader of a roup of touring sociology students from Illinois.

Non-jury trials are being held for the defendants represented by Gray and his two Negro associates, Attys. Solomon Seay Jr. and Charles D. Langford.

TRIALS ADJOURNED

The trials were adjourned at 6 p.m. after the city complet its case. They will resume 9 a.m. Wednesday.

At one point in the hearings Tuesday, Gray pointed out tha the disorderly conduct ordinance under which the defendants were charged was passed by the cit in March, 1960, on the same day that various ordinances requiring separation of the races were repealed.

Over the objections of City Prosecutor Dave Crosland, Judge Baker allowed Gray to introduce into the record minutes of the meeting in which the changes in the law were approved.

Gray said he sought to prove that the disorderly conduct statute was "enacted for the specific purpose of doing indirectly what they can't do directly."

MINUTES ALLOWED

Judge Baker said he would let the minutes and copies of the ordinances into the record to "show purpose."

Evidence presented in the trials correlated that presented in the jury trial cases. City and state officers testified that interracial luncheon in a Negro cafe drew large crowds and threatened to bring about disorder.

Willie B. Painter, special investigator and photographer for the Department of Public Safety, was asked by Gray 'what interest the state had" in the incident.

Painter replied that it was the "preservation of peace and order and for protection of life and property."

The Negro defendants under trial are Elroy Embry, the Rev. Robert Earl DuBose, Solomon Seay Sr., Marzette Watts, James Richburg, Bessie Cole and Anne Ruth Young. The lone white defendant in the group is the Rev. R. Edwin King, 23-year-old Methodist minister of Boston, Mass.

169 days given Dr. Nesmith in racial case

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., May 11— An Illinois sociology professor who led a racial study party that lunched with Negroes here was sentenced to 169 days at hard la or for disorderly conduct today.

Dr. Richard D. Nesmith, who had been held in jail since his conviction yesterday, appealed the sentence imposed by Circuit Judge Eugene Carter. He was freed on $1500 bond.

Nesmith was tried along with 11 her white members of the party om MacMurray College in Illi

Mrs. Nesmith and the 10 sociology students whoses cases were heard simultaneously were cleared of similar charges appealed from Montgomery Recorders Court.

The jury deliberated two hours and 35 minutes before returning he verdicts. Defense Attorney Clifford J. Durr sought bail for Nesmith but Carter recessed the court, saying bail could not be set until the circuit clerk had time to figure court costs.

DURR SAID HE would seek a new trial for Nesmith at that time on the grounds of insufficient evidence to support the verdict.

Nesmith said earlier that he would appeal the verdict "in the interest of academic freedom."

The professor and his wife were leading the students on what they described as a field trip in the interest of their studies when they were arrested in a Montgomery Negro cafe, March 31, while having lunch with several Negroes.

PUBLIC BARRED TODAY AT RECORDER'S COURT

No demonstrations or public disturbances of any kind will be permitted in the vicinity of Recorder's Court Friday when some 37 Negroes are arraigned before Judge D. Eugene Loe on charges of disorderly conduct and failure to obey an officer.

★ ★ ★ ★ ★

The City Commission, in issuing the no-demonstration edict Thursday, also announced that the general public will be barred from the hearings in view of the "tense racial situation" in the city and the limited space available in the courtroom.

★ ★ ★ ★ ★

Only defendants, witnesses, attorneys involved and representatives of news media will be permitted in the courtroom for these hearings.

The commission said the ban on demonstrations and congregations in the vicinity of the court applies to whites and negroes alike. Groups violating this order will be dispersed by the police, it said.

The 37 Negroes, most of them students at Alabama State College, were arrested Tuesday for participating in an abortive off-campus demonstration.

Public is barred from trial of 37

MONTGOMERY, Ala., March 10—(AP)—The city commission today barred the public from tomorrow's trial of 37 Negroes arrested during a racial demonstration here two days ago.

Only defendants, their attorneys, witnesses and reporters will be allowed in city court, the commision said.

It said the purpose is to prevent a demonstration during the trials

Montgomery Judge Fines 32 Students $208 Each

A Montgomery, Ala., Recorder's court judge convicted 32 Negro students and fined them $208 apiece last Friday on charges of disorderly conduct and disobeying an officer during a segregation protest demonstration.

Police ringed the courthouse with squad cars and patrolmen armed with clubs stood guard outside the chambers to guard against any new outbursts while the trials were in progress. There were no incidents.

Judge D. Eugene Loe Jr., acquitted three other students, noting that in one case a conviction might send the youth back to prison for violation of probation.

All of the students were from the Alabama State college.

Loe also fined college physical education instructor Mrs. Alean R. Underwood $10 and costs for disobeying an officer during the same incident. He fined the woman's husband, Dr. Jefferson Underwood, $1 and costs for disobeying an officer when he tried to make bond for his wife at city jail.

Another group of students at Howard college and Birmingham Southern college said a petition was sent to the governor last Friday denouncing the expulsion of nine Alabama State students for leading an integration attempt at the county courthouse snack shop. The students said the expulsion order by the governor and the state board of education was "unnecessary and an infringement upon academic freedom." However, the goveror's office said no such petition had been received.

At Tampa, Fla., a youth involved in a fight during a sit-down demonstration at an all white lunch counter drew a considerably stiffed judgment last Friday. Leon Bellmay, 19, was sentenced to pay a $500 fine or spend 150 days in jail. Bellmay got into a fight with a white youth, Robert Dodd, 19, last week. Dodd was sentenced to $100 or 50 days, but his sentence was suspended.

LUNCH COUNTER- SIT DOWNS
TUSKEGEE INSTITUTE (2nd march in Montgomery

Tuskegee Crowd Stages Parade

Birmingham Post Herald
Birmingham, Ala.
Wed. 3-30-60

March At Campus Of Alabama State

BY JOHN J. McDAVITT JR.
United Press International

MONTGOMERY, March 29 — Thirty Negro students from nearby Tuskegee Institute paraded around the campus of Alabama State College today to show "we are brothers in misery" of Southern segregation.

The demonstration lasted less than an hour, ending with the students singing the "Star Spangled Banner" in a heavy thunderstorm. There were no incidents.

A Tuskegee student, who refused to reveal his name because of possible reprisals, said "we came here to show that we are friends, neighbors and brothers in misery" of the Alabama State students.

Tuskegee Institute students have boycotted white merchants for almost three years in protest of a 1957 legislative act which gerrymandered all but a handful of Negroes from the Tuskegee city limits.

Dismissals Protested

The student spokesman said the group also was protesting the dismissal of 100 students from Alabama State yesterday because they were late registering.

Earlier, nine Negro leaders were expelled for spearheading a sit-down demonstration March 4 in the all-white snack bar at the Montgomery County Courthouse.

Some 300 Alabama State students launched a boycott of classes at the state-supported school late yesterday in protest of the 100 dismissed because of their failure to register on time.

Birmingham Post-Herald
Wed. 3-30-60

School President H. Council Trenholm, under pressure from state officials to quash racial demonstrations at the state-supported school, blamed the boycott on "the same crowd that was expelled." He said the 100 students were dismissed because "in the past we have been too lenient about late registration. This time we felt it necessary to insist upon compliance to the letter of the law."

Racial Angle Denied

Trenholm denied that racial disturbances had anything to do with the mass dismissal even though Gov. John Patterson has ordered the Negro educator to clean up the faculty and student body at the school. Patterson also ordered the state school superintendent to study possibilities of closing the all-Negro school if demonstrations continue.

The Tuskegee students marched two abreast around the campus sidewalks, stopping at each building where they sang patriotic songs and hymns in the drenching rain. The 30 students, joined by about 50 Alabama State students, carried signs which said "1960 Not 1860," "It's A Shame," and "Remember the Nine".

Three squad cars filled with city policemen blocked off all entrances to the small campus located in the South center of town. Public Safety Director Floyd Mann directed Highway Patrolmen in assisting the city officers.

The march began shortly before noon and ended just before 1 p.m.

Alabama State has been the scene of numerous recent demonstrations and Gov. John Patterson has ordered an investigation into whether the Negro school, supported by the state, should be closed. Alabama State authorities announced dismissal of 100 students Monday for failure to meet a March 14 deadline for spring quarter registration.

In Baton Rouge, La., more than half the student body of Southern University (Negro) threatened to quit if seven students arrested during a lunch counter sitdown incident Monday are expelled. A mass rally was called on the campus shortly after the dean of men, S. U. Jones, summoned the seven students to his office.

Negroes Protest at 2 Colleges

The Miami Herald
Miami, Fla
Wed. 3-30-60

By United Press International

Negro students staged a demonstration in a rainstorm Tuesday on the campus of Alabama State College in Montgomery protesting the dismissal of 100 fellow students.

A group of 30 or more students from Tuskegee Institute in Alabama joined some 50 Alabama State students in the march around the campus, singing hymns and waving signs. State highway patrolmen were sent to the campus and police cars blocked the entrances to the school, apparently to prevent the demonstrators from leaving the campus.

ALABAMA STATE COLLEGE) MARCH 29,1960
TUSKEGEE INSTITUTE) ANTI-SEGREGATION DEMONSTRATION

30 Hymn-Singing Students Parade In Rain On Campus

The Montgomery Advertiser
Montgomery, Ala.
Filed 3-30-60
P. 2 11

Some 50 hymn-singing Negro students, clad in raincoats and umbrellas, walked around in a spring rain Tuesday morning to renew anti-segregation demonstrations at Alabama State College.

The demonstration was in violation of a school regulation but Dr. H. Councill Trenholm, president of the racially troubled college, declined to comment on whether disciplinary action is contemplated against the students participating.

"I haven't done any follow-up," the veteran Negro educator said. "I don't have any basis on which to say anything."

DECLINED COMMENT

Trenholm, who has been told by Gov. John Patterson to "straighten out" the situation at ASC, also declined to comment on whether the student boycott of classes which began Monday afternoon was still in effect Tuesday.

Whether or not the boycott is continuing, he said, "will ultimately show up in the attendance records."

The Negroes taking part in the demonstration Tuesday morning paraded around the campus in the rain for two hours carrying signs demanding racial equality.

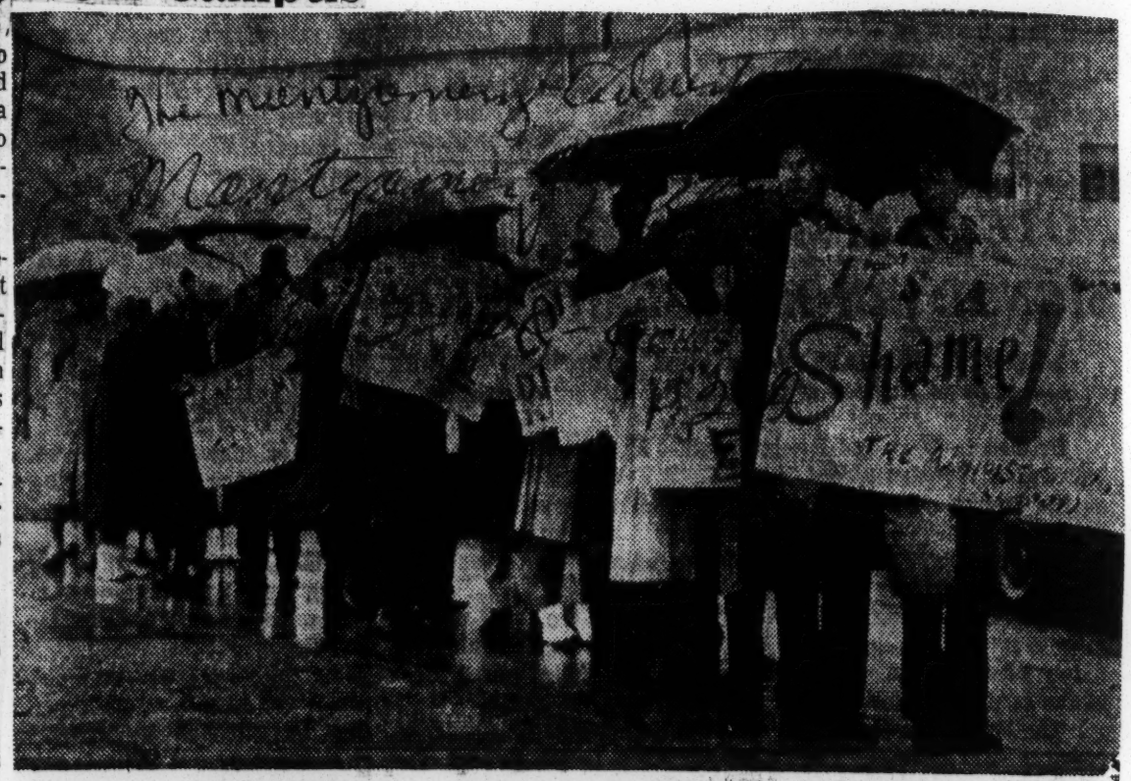
The incident was the first protest march on the campus since March 10 and it apparently was touched off by the refusal of college authorities to readmit 100 other students who were late in re-registering for the current quarter.

There was no disorder in the demonstration and school officials made no atttempt to break it up. City, county and state law enforcement officers watched the march but took no action.

There was no resumption of demonstrations during the afternoon.

SOME FROM TUSKEGEE

One of the students in the protest parade said some of the marchers had come to Montgomery from Tuskegee Institute to take part in the protest.



NEGROES DEMONSTRATE UNDER UMBRELLAS AT STATE COLLEGE
About 50 Students Turned Out For Latest Incident Tuesday

And a school official who declined to be quoted by name said he understood some of the placards the students carried were brought here from Tuskegee.

The classroom boycott Monday followed a rally in a church. Among the speakers at the gathering was Bernard Lee, 24, who was one of nine student leaders expelled from the campus March 4 for participating in an anti-segregation demonstration at the Montgomery County Courthouse.

During one demonstration on a street just outside the college, 34 students were hauled off to jail on disorderly conduct charges.

38a 1960

ALABAMA STATE COLLEGE

MAY 17,1960
CAPITOL LUNCHROOM
CITY LIBRARY

Integration Try Made At Capital

2 Expelled Negro Pupils Seek To Use Lunchroom, Library

BY JOHN J. McDAVITT JR.

MONTGOMERY, May 17 (UPI)—Two expelled Negro students from Alabama State College celebrated the sixth anniversary of the U. S. Supreme Court decision outlawing segregation today by attempting to integrate the Capitol lunchroom and the city library.

The Negroes, Elmo Embry and St. John Dixon, entered the all-white state employes cafeteria in the basement of the state capitol shortly before noon. They took seats at a table, but were ignored by lunchroom employes.

Mrs. Willie Mae Jones, lunchroom operator, told United Press International the Negroes "then got up, stood in line and got trays. I told them they could not be served because they did not have identification cards.

"They asked me if the others (in the lunchroom) had cards and I replied that I knew they (the Negroes) didn't and that they could not be served.

She said Cpl. Bob Griggs of the Highway Patrol, bodyguard to Gov. John Patterson, rushed downstairs and told the Negroes to leave. An unidentified capitol guard also told the Negroes to leave the lunchroom.

Embry, one of the nine Alabama State students expelled for participating in a number of anti-segregation demonstrations, said the capitol guard "took us by the arm and took the trays from us.

"He then escorted us out of the lunchroom and into the hall where we were met by another fleet of state officials — one a highway patrolman. The patrolman told us to leave the building if we had no business there. We asked him if he were putting us out and he walked away," Embry said.

"Then another man approached us and began to curse and swear at us."

The two Negroes said they went to the city library after leaving the capitol and asked to borrow books. "But the librarian told us we couldn't use the library because we didn't have library cards."

Embry said they filled out forms requesting library cards and were told they would "hear from the library board in two or three days.

Signs warning that only those carrying cards showing they belonged to the Alabama State Employes Assn. could be served at the capitol lunchrooms were posted soon after the Alabama State Students attempted to integrate the snack bar at the Montgomery County Courthouse.

Today's incident was the first sit-in demonstration by Negroes in this Deep South capitol since Feb. 25 when the attempt was made to integrate the lunch counter at the courthouse.

The lunch counter was immediately closed and no incidents were reported. The governor later ordered the president of Alabama State, H. Councill Trenholm, to make a full investigation and expell all students who participated in the demonstration.

32 Students Given Fines, File Appeals

The Montgomery Advertiser
Montgomery, Ala.
Sat 3-12-60

Three Acquitted; Teacher, Husband, Ex-Student Convicted

By HERSCHEL CRIBB

Thirty-two Negro college students, one former student, a woman faculty member at Alabama State College and her physician husband were fined in Montgomery Recorder's Court Friday on charges growing out of racial incidents near the college Tuesday. Three students were found not guilty by Recorder Eugene Loe.

The atmosphere of the courtroom was charged with none of the tension which has marked the racial scene here in recent weeks. Whites and Negroes alike, steered clear of the Madison avenue side of City Hall, in compliance with a city directive that only persons connected with the case and newsmen would be admitted to the trial.

BOND POSTED

There were no incidents. A handful of spectators were admitted after the trial was completed and before the sentencing.

The students and former student were fined $100 and costs on each of two charges: Failure to obey the command of a police officer and disorderly conduct. They all appealed to circuit court.

Appeal bond of $200 in each offense was posted by each of the students and the ex-student.

The faculty member, Mrs. Alene H. Underwood and her husband, Dr. Jefferson Underwood, drew lesser fines.

The husband was fined $1 and costs for failure to obey an officer. He was acquitted of a disorderly conduct charge at city jail, where he went to check on his wife after her arrest.

His wife was fined $10 and costs for disorderly conduct. Officers said she shouted at them as they loaded the five girl students arrested into a police car. Husband and wife both paid their fines and did not appeal.

Two of the acquitted students, Donald L. Boyd and Errel Gardener Cummings, said they were on a porch when arrested and not in the marching student group.

NOT JAILED

The third student acquitted was Charles Lewis Williams. Police had already ordered him held for violation of probation on a former conviction of false pretense.

The convicted students could have also received a six months jail sentence but Judge Loe did not impose this.

He intimated that Negro Attorney Fred Gray's pre-sentencing statement that the Negro school's students had agreed to go back to class and hold no more demonstrations weighed with him.

He asked Judge Loe to free the students until next Monday on their present bonds to allow time to decide whether to appeal.

Judge Loe declined, but did permit the group to remain together in the courtroom for a couple of hours while bond or fine money could be gathered.

STUDENTS FINED:

The 32 students fined—including five girls students—were:

Paul Joseph Adams, 19, Montgomery; Dred Scott Arrington, 21, Montgomery; Claude Barby, 22, State College; Thomas Lee Calhoun, 25, Montgomery; Joanna Davidson, 20, Tallassee; Elbert Lawrence Dennis, 21, Montgomery; Rebecca Dixon, 18, Montgomery; Samuel Floyd, 19, Montgomery; Augusta Edward Grace, 19, Montgomery; James Stanley Haskins, 18, Montgomery; Frank Edsel Hawkins, 21, State College.

Durlin Cecil Hayes, 23, Montgomery; Dorothy D. Henderson 20, Linden; Dolphus Hendrix, 20 Montgomery; Emmit McRoy Horne, 23, State College; Milton R. Ivery, 18, Montgomery; Pitts Edward Jefferson, 21, State College; Kenneth McMillan, 19, State College; Thressa Maddox, 18, Kennedy, Ala.; Carl Anthony Moore, 17, State College.

Eugene McAllister Morgan, 21, Montgomery; Julian Elponzo Relf, 23, Montgomery; Raymond Reynolds, 25, Montgomery; James Rickerson Jr., ex-student, now an Air Force airman; Franklin Delano Riley, 19, Montgomery; Richard Sanders Jr., 19, State College; Carroll Ray Walters, 19, Montgomery; Sylvester Walters, 20, Montgomery; Willard Edward Waters, 17, Montgomery; Rosetta White, alias Price, 18, Georgiana; Marion Jerome Whitehurst, 20, State College.

NEGRO CUSTODIAN

In passing sentence, Judge Loe said he found that "duly constituted authority has been deliberately defied in the massing for the purpose of making a protest demonstration."

Police were called by the Negro school custodian after some of the students had "shoved him."

Capt. D. H. Lackey was in command of the officers who arrested the students after they displayed placards and uttered shouts.

Both the placards and shouts protested the expulsion of nine students earlier by the State School Board as "ringleaders" of march demonstrations to the cosnty courthouse and the Capitol.

Besides Lackey, Officers J. V. Johnson and W. E. Boles testified against the students and the woman faculty member arrested.

The officers identifed specific Negroes as having carried specific protest signs and uttered specific remarks.

MADE NOTES

When the defense attorneys asked how they connected the individual students with the signs or remarks, the officers replied by mentioning a moustache or other feature of the student.

Officer Boles said he had made notes but did not know the name of the students he was putting into the notes at the time. He said he later identified them by photographs. The Negro attorney was unsuccessful in an attempt to get court permission to see the officer's notes.

The defense attorneys sought to exclude these identifications on the ground that the officers had no specific points to prove their identification. But the judge admitted them.

Several students said thay had not participated in the demonstration but had walked up just as police herded the protesters together for arrest and were mistakenly included.

However, the two students acquitted were the ones who said they were sitting on a porch and were not in the crowd. The others who claimed accidental association were convicted.

Judge Loe said there is "such a thing as guilt by association." He said he would convict any arrested student in the crowd on the ground they were aiding and abetting the demonstration.

He said he proceeded on a similar premise earlier in the Green Lantern cases.

Student Gets Fines Of $100 On 2 Counts

The Montgomery Advertiser
Montgomery, Ala.

The second of a group of Alabama State College students arrested last March while making a demonstration march from the college campus was convicted in Circuit Court here Wednesday.

Pitts Edward Jefferson Jr. was fined $100 and costs on each of two charges—disorderly conduct and failing to obey an officer. Previously convicted on the same charges was Kenneth McMillian, who received identical $100 fines Tuesday.

FOUND GUILTY

Jefferson was found guilty by Special Judge Sam Rice Baker, who heard the case without a jury.

The defendant was among 31 Negroes whose cases were set for trial on appeals from earlier convictions in Recorder's Court. All were arrested during the placard-carrying demonstration which was halted by Montgomery police.

Jefferson took the stand Wednesday to deny that he was taking part in a demonstration. He said he was eating in a restaurant, then left and walked up behind the marching students to see what was going on.

He specifically denied saying, "Damn the cops."

Earlier witnesses included Dr. L. D. Reddick, history professor at the college, who stestified that the marching students were orderly and used no profanity.

He said a Montgomery policeman who halted the marchers "took out his club and waved it at the students and said 'I want the meanest nigger in this crowd to step out.'"

Another witness was Alfonso Campbell, brother of the custodian of grounds at the college. Campbell, who also said he saw no violent conduct on the part of the students, acknowledged hearing his brother using a loudspeaker but said he did not hear him fire a pistol to warn them away.

Cross-examined by City Prosecutor David Crosland, Campbell maintained that he could not tell what was being said on the loudspeaker.

Another witness, William Gibson, reported seeing some students ship through a hedge after they were corraled on a lawn by arresting officers on south Jackson street, less than a block from the campus.

He said he heard no order to disperse. Under cross-examination, he denied knowing of an order by the college president against demonstrations.

The remaining defendants are to be tried one at a time, barring an arrangement between the defense and prosecution attorneys.

In Montgomery, Alabama

The Pittsburgh Courier

Integrators Get Stiff Sentences

Pittsburgh, Pa.

Sat. 7-23-60

(Courier Press Service)

MONTGOMERY, Ala. — Rev. Edwin King, 23, a white Boston University theology student, and Elroy Embry, a Negro student recently expelled from Alabama State College, have appealed fines of $200 each and sentences of 10 days at hard labor as a result of their arrest when trying to eat together at a downtown white hotel here last June 7.

They were jailed on the hotel eating charge just four hours after having been convicted for being in an integrated luncheon at a Negro cafe last March 31.

For that incident they were fined $100 and costs, along with six other Negroes.

THEY WENT to the coffee shop of the white hotel and sought service and refused to leave when told by the manager they wouldn't be served.

Rev. King was a guest at the hotel and said Embry was his guest. Embry was one of nine students expelled from 'Bama State for student demonstrations last March 2, at the county courthouse coffee shop.

Minister Fined, Arrested Again

Philadelphia Inquirer

MONTGOMERY, Ala., June 8 (UPI).—A young white minister from Boston has been fined $100 and $43 costs for eating lunch with a group of Negroes and was rearrested shortly after his trial for taking a Negro guest into the dining room of a white hotel.

The Rev. Ralph Edwin King, Jr., 23, a Methodist minister from Boston University's theological school, was charged with trespassing and refusing to obey a police officer. The warrant was signed by C. A. Dione, manager of the Jefferson Davis Hotel.

His guest, Elroy Embray, 33, a Negro recently expelled from Alabama State College here for taking part in anti-segregation demonstrations, faced the same charges.

Judge Hears Students' Reinstatement Plea

(Courier Press Service)

MONTGOMERY, Ala.—Federal District Judge Frank M. Johnson heard the pleas of the expelled Alabama State College students that they be reinstated as students at the college and that the State Board of Education, Gov. John Patterson and 'Bama State president, Dr. H. Council Trenholm — be ruled from "obstructing, hindering and otherwise interfering" with their rights to attend college.

The six students—Bernard Lee, Elroy Embry, Marzette Watts, St. John Dixon, Edward E. Jones and Joseph Peterson—were ordered expelled last March after student demonstrations against lunch counter discrimination at the county courthouse snack bar.

A total of nine students were ordered expelled from the college by the State Board of Education, acting on orders from Governor Patterson.

■

SINCE DR. TRENHOLM issued the actual dismissal order, he was named a co-defendant in the suit, along with Governor Patterson and the board. In their petition, filed by Atty. Fred Gray, the expellees said their rights under the 14th Amendment to the U. S. Constitution had been violated.

The six who made the charge had been identified as leaders of the student protest here. Twenty other students were put on probation at the same time.

Lee, chief student leader, was arrested and charged with vagrancy after his expulsion. His home is in Virginia. He was later given a job with the Montgomery Improvement Association.

■

THE STATE'S "heavy artillery"—Atty. General MacDonald Gallion and his aides, plus Governor Patterson's legal adviser, Robert P. Bradley—was on hand to defend the state's action and seek dismissal of the suit. The board held a special meeting a short while before the case was to open in the Federal courtroom in the post office building.

Meanwhile, in another aspect of the case, a telegram sent to Governor Patterson by Dr. M. L. King Jr., former head of the MIA, now in Atlanta, was acknowledged and then sent to Dr. Trenholm, when the Governor was not in the city. Thus, Mr. Patterson did not see the wire and sending it to Dr. Trenholm was apparently intended to be a snub to Dr. King. The wire protested the pledge made by Dr. Trenholm to keep his college students from further demonstrations.